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J. L. GILLIS, Librarian

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LIBRARY LAWS

OF THE

STATE OF CALIFORNIA

EDITION 1913

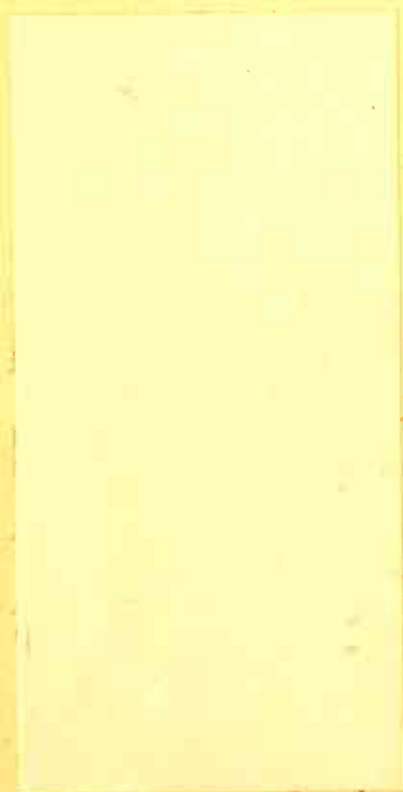
Friend Wm. Richardson

Superintendent State Printing

Sacramento, California

1913





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and Wm. Richardson - - Superintendent State Printing
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398773

NOTE.

The following compilation contains the library laws of California which are in force at the present time. It does not, however, include those sections of city charters relating to libraries, because such sections are of local importance only. With the exception of the laws governing the state library and the supreme court library, no laws of separate institutions are given.

Important changes in the library laws were made by the thirty-ninth and fortieth sessions of the legislature. In 1911 the county free library act was largely made over. Amendments were also made to the unincorporated towns library act, and to section 1714 of the Political Code relating to school library funds in cities. At the extra session of 1911 the act providing for the acquisition of land needed for park or playground purposes by municipalities through condemnation proceedings was extended so as to include such acquisition for public library purposes. In 1913 the income for the state library for the biennial period was materially increased, the sum being allowed in the general appropriation bill and the Code section amended which had previously provided that the library fund should consist of certain fees collected by the secretary of state. The work of indexing the statutes and journals was made a part of the duty of the state library; as was also the compilation of laws and other matter required for general information. The state library was included with other state institutions in the provisions of the civil service act.

Unless otherwise indicated the Code sections in the compilation are those adopted in 1872.

October, 1913.

LIBRARY LAWS

OF THE

STATE OF CALIFORNIA, 1913.

CONSTITUTION OF CALIFORNIA.

Section Relating to Public Libraries.

ARTICLE XIII.

REVENUE AND TAXATION.

SECTION 1. All property in the state, ^{Library} except as otherwise in this constitution ^{property} provided, not exempt under the laws of ^{not} the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. * * *

* *Provided*, that property used for free public libraries * * * shall be exempt from taxation. [Amendment, 1910.]

PENAL CODE.

Sections Relating to Libraries.

Defacing
property,
misde-
meanor.

§ 623. Every person who maliciously cuts, tears, defaces, breaks, or injures any book, map, chart, picture, engraving, statue, coin, model, apparatus, or other work of literature, art, mechanics, or object of curiosity, deposited in any public library, gallery, museum, collection, fair, or exhibition is guilty of a misdemeanor. [*Statutes* 1901, p. 99.]

Wilful
deten-
tion,
misde-
meanor.

§ 623½. Whoever wilfully detains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to any public or incorporated library, reading-room, museum, or other educational institution, for thirty days after notice in writing to return the same, given after the expiration of the time which by the rules of such institution such article or other property may be kept, is guilty of a misdemeanor and shall be punished accordingly. [*Statutes* 1899, p. 97.]

GENERAL LAWS.

Founding, Maintaining, etc., of Public Libraries, Museums, and Galleries of Art.

An act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established; for the conveyance, holding, and protection of real property within this state suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions and the control and management thereof.

[Statutes 1887, p. 26.]

SECTION 1. Any person intending in his lifetime, or by will or trust deed, to operate after his death, to found, maintain, and perpetuate in this state a public library, museum, gallery of art, or any or all thereof, for the diffusion of mechanical, scientific, artistic, and general knowl-

Manner of conveying gifts for dissemination of knowledge of arts, etc.

Manner
of con-
veying
gifts.

edge may to that end and for such purpose, and for any purpose within the purview of the title of this act, convey in writing by words denoting a gift or grant to one or more trustees named in such gift or grant, and to their successors, any library or collection of books and works for such public library, or any museum, or gallery of art in this state, and such gift or grant may also express, and shall be construed to be a conveyance of the future additions and accretions thereof; and he may also in like manner, to that end, and for such purpose, convey by grant to such trustee or trustees, any real property within this state belonging to him which may be necessary or proper for the erection and maintenance of buildings suitable to such institution, and the buildings erected thereon, with grounds conveniently adjacent thereto, and other lands, tenements, and hereditaments for the purpose of producing an income for the support and maintenance of such institutions, or any of them, and any collateral burdens which may be imposed by the terms of such foundation as part and parcel of the regulations for its conduct, and also personal property of all descriptions, which may subserve the purposes of the institution and maintenance of any such library, museum, or gallery of art.

SEC. 2. Any contributions or gifts by any other person than the founder, of any property suitable to the general plan or support of any institution mentioned in the title of this act, shall immediately vest in the trustees, and become incorporated into and subject to the trust, and to all its terms and conditions, and be managed under the rules and regulations prescribed therefor.

SEC. 3. The person making such gift, grant, or conveyance, as founder, may therein designate:

Gifts by
other
than
founder.

Direc-
tions
con-
tained in
gift.

1. The name by which the institution so founded and maintained shall be known.

2. Its nature, object, and purposes.

3. The powers and duties of the trustees, which shall not be exclusive of other powers and duties that, in their judgment, may be necessary more effectually to carry out the purposes of such institution.

4. The mode and manner and by whom the successors to the trustees named in the gift or grant shall be appointed.

5. Such rules and regulations for the management of such institution, and the furtherance of its purposes, as the grantor may elect to prescribe; but such rules and regulations shall, unless the grant shall otherwise prescribe, be deemed advisory only, and shall not preclude such trustees or their successors from making such

changes as new conditions may, from time to time, require.

6. The place or places where the necessary buildings shall be erected, and the general character thereof. The person making such grant may therein provide for all other things necessary or proper to carry out the purposes thereof, or otherwise, by his last will or testament.

Trustees
may sue
and
defend.

SEC. 4. The trustees named in such gift or grant, and their successors, may, in the name of such institution designated in the gift or grant, sue and defend in relation to the trust property, and to all matters affecting the institution so founded and established.

Privi-
leges
granted
to
founder.

SEC. 5. By a provision in such gift or grant, the founder may elect, in respect to the personal and real property conveyed, and the additions and increase thereof, and in respect to the erection, maintenance, and management of any buildings, auxiliary thereto, and in respect to any property connected with such institution, to reserve to himself a veto and right of annulment or modification of any act of such trustees, in case he shall, within thirty days after notice of the performance of such act, file in the office of said trustees, or deliver to their president or principal officer, a notice in writing, of such veto, annulment, or modification, and

upon a like notice, in conformity with a provision in such gift or grant, he may elect to perform during his life all the powers which, by the terms thereof, are vested in or enjoined upon the trustees therein named, and their successors; *provided*, that upon the death or disability to act of the founder and grantor, such powers and duties shall be devolved upon, and be exercised by, the trustees named in the gift or grant, and their successors. Such person may also reserve the right to alter, amend, or modify, at any time during his life, or by his last will and testament, the terms and conditions thereof, and the trusts therein created in respect to such institution, its buildings, and the property conveyed therefor.

SEC. 6. The founder shall have power in said deed of trust to name and describe the character and personality of any one or more of the immediate or future trustees, the librarian, and other officers, and to name and impose any particular duty to be performed by any one or more trustees or other officers, so described and characterized, and to declare and limit any compensation, and fix the character and method of such compensation he may choose to provide for any such trustee or other officer whom the terms of his foundation may characterize, and upon

Founder to reserve right to fix compensation and impose particular duties on trustees.

whom specific or general duties shall be imposed.

Gifts,
how
recorded.

SEC. 7. Any such gift or grant may be executed, acknowledged, and recorded in the manner now or hereafter provided by law for the execution, acknowledgment, and recording of grants of real property.

Time of
com-
mencing
suit.

SEC. 8. No suit, action, or proceeding shall be commenced or maintained by any person to set aside, annul, or affect said gift, grant, or conveyance, or to affect the title to the property conveyed, or the right to the possession or to the rents, issues, and profits thereof, unless the same be commenced within two years after the date of the filing of such grant for record.

Founder
may be-
queath to
State
of Cali-
fornia.

SEC. 9. Any person, being the founder, making a gift or grant for any of the purposes mentioned in this act may, at any time thereafter, by last will or testament, devise or bequeath to the State of California all or any of the property, real and personal, mentioned in such gift or grant, or in any such supplemental thereto, and such devise or bequest shall take effect in case, from any cause whatever, the gift or grant shall be annulled or set aside, or the trusts therein declared shall for any reason fail. Such devise or bequest is hereby suffered to be made by way of assurance that the intentions of the grantor shall be carried out, and in the faith that

the state, in case it shall succeed to the property, or any part thereof, will, to the extent and value of such property, carry out, in respect to the objects and purposes of any such grant, all the wishes and intentions of the grantor.

SEC. 10. The provisions of this act shall be liberally construed, with a view to effect its objects and purposes, and the singular number in the construction thereof shall be deemed to include the plural, and the plural number shall be deemed to include the singular.

Liberal
construc-
tion of
pro-
visions.

SEC. 11. Nothing in this act shall repeal, modify, change, or have any effect upon any of the provisions of an act of the legislature of the State of California entitled "An act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this state of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March ninth, eighteen hundred and eighty-five.

Universi-
ties, col-
leges,
schools,
etc.

SEC. 12. This act shall take effect immediately.

Municipality Library Act.

An act to amend an act approved March 23, 1901, and entitled "An act to provide for the establishment and maintenance of public libraries within municipalities."

[Statutes 1909, p. 823.]

Estab-
lish-
ment and
mainte-
nance.

SECTION 1. The common council, board of trustees, or other legislative body of any incorporated city or town in the State of California, may, and upon being requested to do so by one fourth of the electors of such municipal corporation in the manner hereinafter provided, must, by ordinance, establish in and for said municipality a public library; *provided*, there be none already established therein.

Petitions.

SEC. 2. The request referred to in the preceding section may be by a single petition, or by several petitions; *provided*, that such several petitions be substantially in the same form, and that such single petition has, or several such petitions in the aggregate have, the signatures of the requisite number of electors.

Board of
trustees.

SEC. 3. Such public library shall be managed by a board designated as the board of library trustees, consisting of five members, to be appointed by the mayor, president of the board of trustees

or other executive head of the municipality, by and with the consent of the legislative body of said municipality. Such trustees shall severally hold office for three years, serving without compensation; *provided*, that the members of the first board appointed shall so classify themselves by lot that one of their number shall go out of office at the end of the current fiscal year, two at the end of one year thereafter, and the other two at the end of two years thereafter. Men and women shall be equally eligible to such an appointment, and vacancies shall be filled by appointment for the unexpired term in the same manner.

SEC. 4. Boards of library trustees shall meet at least once a month at such times and places as they may fix by resolution. Special meetings may be called at any time by three trustees, by written notice served upon each member at least three hours before the time specified for the proposed meeting. A majority of the board shall constitute a quorum for the transaction of business. Such boards shall appoint one of their number president, who shall serve for one year and until his successor is appointed, and in his absence shall select a president pro tem. Such boards shall cause a proper record of their proceedings to be kept.

Meetings
of board.

President
of board.

Powers
of board.

SEC. 5. Boards of library trustees shall have power :

First—To make and enforce all rules regulations and by-laws necessary for the administration, government and protection of the libraries under their management, and all property belonging thereto.

Second—To administer any trust declared or created for such libraries, and receive by gift, devise, or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries.

Third—To prescribe the duties and powers of the librarian, secretary and other officers and employees of any such libraries ; to determine the number of and appoint all such officers and employees, and to fix their compensation, which said officers and employees shall hold their offices or positions at the pleasure of said board.

Fourth—To purchase necessary books, journals, publications and other personal property.

Fifth—To purchase such real property and erect or rent and equip such buildings or building, room or rooms, as may be necessary, when in their judgment a suitable building, or portion thereof, has not been provided by the legislative body of the municipality for such libraries.

Sixth—To require the secretary of state and other state officials to furnish such libraries with copies of any and all reports, laws and other publications of the state not otherwise disposed of by law. Powers of board.

Seventh—To borrow books from, lend books to and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as they may prescribe.

Eighth—To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.

SEC. 6. Boards of library trustees shall, on or before the last day of July in each year, make a report to the legislative body of their municipality, giving the condition of the library on the thirtieth day of June preceeding, together with a statement of their proceedings for the year then ended, and forward a copy thereof to the state library at Sacramento. Must make report to governing body and forward copy to state library.

SEC. 7. The legislative body of any municipality in which a public library has been established in accordance with this act, shall in making the annual tax levy and as part thereof, if the maintenance of the library has not been otherwise provided for, levy a tax for the purpose of maintaining such library and Library tax levy.

Limit of
tax levy.

purchasing property necessary therefor, which tax shall be in addition to other taxes, the levy of which is permitted in the municipality; *provided*, that after two years from the establishment of new libraries thereunder, where a maintenance corresponding thereto has not been otherwise provided, in municipalities of the first, second and third classes, such tax levy shall not exceed two mills on the dollar of assessed valuation, and in municipalities of the fourth, fifth and sixth classes, such levy shall not exceed three mills on the dollar of assessed valuation.

Library
fund.

SEC. 8. The revenue derived from said tax, together with all money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be apportioned to a fund to be designated the library fund, and be applied to the purposes herein authorized. If such payment into the treasury should be inconsistent with the conditions or terms of any such gift, devise, bequest, the board shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise or bequest. Payments from this fund shall be made upon warrants issued after due audit by, and an order from, the library trustees, which warrants shall be

Pay-
ments
from
fund.

signed by the president and secretary of said board of library trustees. The treasurer of the municipality shall pay such warrants without any further order or warrant from any other authority.

SEC 9. Every library established under this act shall be forever free to the inhabitants and non-resident taxpayers of the municipality, subject always to such rules, regulations and by-laws as may be made by boards of library trustees; *and provided*, that for violations of the same a person may be fined or excluded from the privileges of the library. Library must be free.

SEC. 10. Boards of library trustees and the legislative bodies of neighboring municipalities or boards of supervisors of the counties in which public libraries are situated, may contract for lending the books of such libraries to residents of such counties or neighboring municipalities, upon a reasonable compensation to be paid by such counties or neighboring municipalities. Lending books to neighboring municipalities.

SEC. 11. The title to all property acquired for the purposes of such libraries, when not inconsistent with the terms of its acquisition, or otherwise designated, shall vest in the municipalities in which such libraries are, or are to be, situated, and in the name of the municipal corporations may be sued for and defended by action at law or otherwise. Title to property.

Act of
1880
repealed.

SEC. 12. An act entitled "An act to establish free public libraries and reading rooms," approved April twenty-six, eighteen hundred and eighty, is hereby repealed; *provided*, that as to existing libraries this act is to be deemed a continuation thereof and such libraries shall be governed hereby accordingly; *provided, however*, that this act shall have no application to any library established or governed by the provisions of a city charter, and the provisions of any city charter shall in no manner be affected by this act.

Ordinance
may be
repealed.

SEC. 13. Any ordinance establishing a library adopted under the provisions of section one of this act must be repealed by the body which adopted the same upon being requested to do so by fifty-one per cent of the electors of such municipal corporations, as shown by the great register then in force, and upon the repeal of such ordinance such library shall be disestablished in such municipal corporation.

Acquirement of Land for Public Library Purposes.

An act to amend section one of an act entitled "An act to provide for the acquisition by municipalities of land for public park or public playground purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land," approved April 22, 1909, to extend its operation to the acquirement of land for public library purposes.

[Statutes Ex. 1911, p. 17.]

SECTION 1. Whenever the public interest or convenience may require, the city council of any municipality shall have full power and authority to acquire by condemnation any land situate in such municipality for public park, public playground, or public library purposes. ^{Acquirement of land.}

Unincorporated Towns Library Act.

An act to allow unincorporated towns and villages to establish, equip and maintain public libraries; to provide for the formation, government and operation of library districts; the acquisition of property thereby; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and to create boards of library trustees.

[Statutes 1909, p. 815.]

Unincorporated towns may establish library.

SECTION 1. Any unincorporated town or village of this state may establish, equip and maintain a public library for the dissemination of a knowledge of the arts, sciences and general literature, in accordance with the provisions of this act.

Petition.

SEC. 2. Upon the application, by petition, of fifty or more taxpayers and residents of said town or village to the board of supervisors in the county in which said town or village is located, praying for the formation of a library district, and setting forth the boundaries of the said proposed district; the said board of supervisors

Election.

must, within ten days after receiving said petition, by resolution, order that an election be held in the said proposed district

for the determination of the question and shall appoint three qualified electors thereof to conduct said election.

SEC. 3. Said election shall be called by posting notice thereof in three of the most public places in said proposed library district, and by publication in a daily or weekly paper therein, if there be one, at least once a week for not less than fifteen days. Said notices must specify the time, place, and the purposes of said election, and the hours during which the polls will be kept open; *provided*, that in districts with a population of ten thousand or over, the polls must be opened at eight o'clock a. m., and kept open until seven o'clock p. m., and in districts where the population is less than ten thousand, the polls must not be opened before one o'clock p. m., and must be kept open not less than six hours. Notice of election.

SEC. 4. Said election shall be conducted in accordance with the general election laws of this state, where applicable, without reference to form of ballot or manner of voting, except that the ballots shall contain the words, "For library district," and the voter shall write or print after said words on his ballot the word "Yes," or the word "No." Election, how conducted.

SEC. 5. Every qualified elector, resident within the proposed district for the Who may vote.

period requisite to enable him to vote at a general election, shall be entitled to vote at the election above provided for.

Duty of
election
officers.

SEC. 6. It shall be the duty of the election officers to report the result of said election to the board of supervisors within five days subsequent to the holding thereof.

Library
trustees.

SEC. 7. If a majority of the votes at said election shall be in favor of a library district, the said board of supervisors must, by resolution, establish said library district, and must appoint three trustees; who must be qualified electors and residents within the limits of the proposed library district, to be known and called a board of library trustees, of the town or village for which they are appointed. Such trustees shall severally hold office for three years from the first day of July next succeeding their election and until their successors are elected and qualified; serving without compensation; *provided, however,* that the members of the first board appointed shall be so classified by the board of supervisors at the time of their appointment, that one of their number shall go out of office on the thirtieth day of June next succeeding his appointment, one at the end of one year thereafter, and the other one at the end of two years thereafter. Vacancies shall be filled

by the board of supervisors by appointment for the unexpired term.

SEC. 8. If a majority of the votes cast shall be against a library district, the board of supervisors shall, by order, so declare; no other proceedings shall be taken in relation thereto until the expiration of one year from the date of presentation of the petition.

If majority oppose, no other proceedings within one year.

SEC. 9. The fact of the presentation of the petition, and the order establishing the library district and making the appointment of the three library trustees, shall be entered in the minutes of the board of supervisors and shall be conclusive evidence of the due presentation of a proper petition, and that each of the petitioners was, at the time of signature and presentation of the petition, a taxpayer and resident of the proposed district, and of the fact and regularity of all prior proceedings of every kind and nature provided for by this act, and of the existence and validity of the district.

Establishment of library in minutes of board of supervisors.

SEC. 10. Boards of library trustees shall meet at least once a month, at such time and place as they may fix by resolution. Special meetings may be called at any time by two trustees, by written notices served upon each member at least twelve hours before the time specified for the meeting. Two members shall consti-

Meetings of library trustees.

President
and
secretary

Certificate filed
with
state librarian.

Powers
of library
board.

tute a quorum for the transaction of business. At its first meeting held after the first day of July the board shall organize by electing one of its number president, and another one of its number secretary; they shall serve as such for one year or until their successors are elected and qualified. Such boards shall cause a proper record of its proceedings to be kept, and at the first meeting of the board of trustees of any library formed under the provisions of this act, it must immediately cause to be made out and filed with the state librarian at Sacramento a certificate showing that such library has been established, with the date thereof, the names of the trustees, and the officers of the board chosen for the current fiscal year.

SEC. 11. The board of library trustees so appointed by the said board of supervisors, and their successors, shall be authorized and they are hereby empowered, and it shall be their duty:

First—To make and enforce all rules, regulations, and by-laws necessary for the administration, government and protection of the libraries under their management, and all property belonging thereto.

Second—To administer any trust declared or created for such libraries, and receive by gift, devise, or bequest, and

hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries. Powers
of li-
brary
board.

Third—To prescribe the duties and powers of the librarian, secretary, and other officers and employees of any such libraries; to determine the number of and appoint all such officers and employees, and fix their compensation, which said officers and employees shall hold their offices and positions at the pleasure of said boards.

Fourth—To purchase necessary books, journals, publications, and other personal property.

Fifth—To purchase such real property, and erect or rent and equip, such building or buildings, room or rooms, as in their judgment may be necessary to properly carry out the provisions of this act.

Sixth—To require the secretary of state and other state officials to furnish such libraries with copies of any and all reports, laws, and other publications of the state not otherwise disposed of by law.

Seventh—To borrow books from, lend books to, and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as the board may prescribe.

Powers
of li-
brary
board.

Eighth—To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.

Ninth—To file, through their secretary, on or before the last day in the month of July of each year, a report with the state librarian at Sacramento giving the condition of their library and the number of volumes contained therein on the thirtieth day of June preceding.

Tenth—To designate the hours during which the library shall be open for the use of the public; *provided, however*, that all public libraries established under the provisions of this act, shall be open for the use of the public during every day in the year.

Estimate
of main-
tenance
fund.

SEC. 12. In any library district formed under the provisions of this act, which is now maintaining a public library, or which shall have petitioned for and has been granted permission to establish, and intends to maintain a public library in accordance with this act, it shall be the duty of the board of library trustees therein to furnish to the board of supervisors of the county wherein said library district is situated, each and every year, on or before the first day of September, an estimate of the cost of leasing temporary quarters, purchasing a suitable lot, of procuring plans and specifications

and erecting a suitable building, of furnishing and equipping the same, and of fencing and ornamenting the grounds, for the accommodation of the public library, and of conducting and maintaining the same for the ensuing fiscal year, or for any or all of said purposes; *provided, however,* that the board of library trustees, may, when in its judgment it is deemed advisable, and upon the petition of fifty or more taxpayers residing within said library district, must, call an election and submit to the electors of the said library district whether the bonds of said library district shall be issued and sold for any or all of the purposes of this act.

Bond
election.

SEC. 13. When such estimate shall have been submitted to the board of supervisors of any county in which a public library district has been established, the said board of supervisors must, at the time of levying county taxes, levy a special tax upon all of the taxable property within the limits of the said library district, sufficient in amount to maintain the said public library, or to purchase the site, erect and equip the building, improve the grounds or building, or for any or all of the purposes of this act. The taxes so levied shall be computed, entered upon the tax roll, and collected in the same manner as other taxes are computed, entered and collected.

Tax levy
for
library.

Library
fund.

SEC. 14. The revenue derived from said tax, together with all money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be paid into the county treasury to the credit of the library fund of the district wherein said tax was collected, subject only to the order of the library trustees of said district. If such payment into the treasury should be inconsistent with the terms or conditions of any such gift, devise, or bequest, the board of library trustees shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise or bequest.

Library
free.

SEC. 15. Every library established under the provisions of this act shall be forever free to the inhabitants and non-resident taxpayers of the library district, subject always to such rules, regulations, and by-laws as may be made by the board of library trustees; *also provided*, that for violations of the same a person may be fined or excluded from the privileges of the library.

May lend
books to
neigh-
boring
muni-
cipalities
or dis-
tricts.

SEC. 16. Boards of library trustees and the boards of trustees of neighboring library districts, or the legislative bodies of neighboring municipalities, or boards of supervisors of the counties in which

public libraries are situated, may contract to lend the books of such libraries to residents of such counties or neighboring municipalities, or library districts, upon a reasonable compensation to be paid by such counties, neighboring municipalities, or library districts.

SEC. 17. The title to all property acquired for the purposes of such libraries, when not inconsistent with the terms of its acquisition, or not otherwise designated, shall vest in the district in which such libraries are, or are to be situated. Every library district must be designated by the name and style of _____ library district (using the name of the district), of _____ county (using the name of the county in which said district is situated); and in that name the trustees may sue and be sued, and may hold and convey property for the use and benefit of such district. A number must not be used as a part of the designation of any library district.

SEC. 18. An election for library trustee must be held in each library district, annually, at the public library, if there is one, and if there is none, at the place to be designated by the board of trustees, for the election of one library trustee, who shall hold office for three years dating from the first day of July next suc-

Title to
property.

Election
of trus-
tees.

ceeding his election, or until his successor shall be elected, or appointed and qualified.

Number
of trus-
tees.

SEC. 19. The number of library trustees for any library district established under the provisions of this act, shall be three.

Notices
of elec-
tion.

SEC. 20. Not less than ten days before the election required in section eighteen of this act, the trustees must post notices in three public places in the district, one of which places shall be the public library; which notices must specify the time and place of election, and the hours during which the polls will be kept open; if within five days of holding the election the trustees have failed to post the notices required under this section, then any three electors of the district may give notice.

Conduct
of elec-
tion.

SEC. 21. Boards of trustees must appoint one inspector and two judges to conduct the said election; if none are so appointed, or, if those appointed are not present at the opening of the polls, the electors present may appoint them, and they shall conduct the election. Any member of the board of library trustees is hereby qualified to administer the oath and swear in the election officers.

SEC. 22. In library districts with a population of ten thousand or over, the polls must be open at eight o'clock a. m.,

and kept open until seven o'clock p. m.; in districts where the population is less than ten thousand the polls must not be opened before one o'clock p. m., and must be kept open not less than six hours.

SEC. 23. Every elector, resident of the library district, who is a qualified elector of the county, and who is registered in the district where the election is held at least thirty days before the election, may vote thereat.

SEC. 24. Voting must be by ballot (without reference to the general election law in regard to nominations, form of ballot, or manner of voting), which shall be handed by the elector voting to the inspector, who shall then, in his presence deposit the same in the ballot box, and the judges shall enter the elector's name on the poll list.

SEC. 25. Any person offering to vote may be challenged by any elector of the district, and the judges of election must thereupon administer to the person challenged an oath, in substance as follows: "You do swear that you are a citizen of the United States, that you are twenty-one years of age, that you have resided in this state one year, in this county ninety days, and in this library district thirty days preceding this election, and that your name is on the great register of this

county and was on the great register of a precinct of this library district at least thirty days before this election, and that you have not before voted this day." If he takes the oath prescribed in this section, his vote must be received, otherwise his vote must be rejected.

Poll and
tally list.

SEC. 26. A poll and tally list must be kept and must be returned to the board of library trustees.

Canvass
of votes.

SEC. 27. The officers of election must publicly canvass the votes immediately after closing the polls, and make, sign, and deliver certificates of election to the person elected, which must, with the oath of office of the person so elected attached, be forwarded to the county clerk and filed in his office.

Bond
election.

SEC. 28. The board of trustees of any library district may, when in their judgment it is deemed advisable, and must, upon a petition of fifty or more taxpayers and residents of said library district, call an election and submit to the electors of the district, whether the bonds of such district shall be issued and sold for the purpose of raising money for the purchase of suitable lots, of procuring plans and specifications and of erecting a suitable building, of furnishing and equipping the same, and of fencing and ornamenting the grounds, for the accommoda-

tion of the public library, or for any or all of the said purposes, or for any or all of the purposes of this act; for liquidating any indebtedness incurred for said purposes, and for refunding any outstanding valid indebtedness, evidenced by bonds or warrants of the district.

SEC. 29. Such election must be called by posting notices, signed by the board, in three of the most public places in the district, for not less than twenty days before the election; and if there is a newspaper published in the district, or if not, a newspaper published in the county, by publishing such notice therein not less than once a week for three successive weeks.

Notice of
bond
election.

SEC. 30. Such notice must contain:

1. Time and place of holding such election;

Notice.

2. The names of inspectors and judges to conduct the same;

3. The hours during the day in which the polls will be open;

4. The amount and denomination of the bonds, the rate of interest and the number of years, not exceeding forty, the whole or any part of said bonds are to run.

SEC. 31. The election shall be conducted in accordance with the provisions of sections twenty-one, twenty-two, twen-

Election,
how con-
ducted.

ty-three, twenty-five, twenty-six, twenty-seven, of this act, in so far as they are applicable to the election for bonds.

Vote by
ballot.

SEC. 32. Voting must be by ballot (without reference to the general election law in regard to form of ballot, or manner of voting), except that the words to appear on the ballot shall be, "Bonds—Yes," and "Bonds—No," and except further, that persons voting at such bond election shall put a cross (X) upon their ballots, with pencil or ink, after the words "Bonds—Yes," or "Bonds—No," (as the case may be) to indicate whether they have voted for or against the issuance of the bonds; which said ballot shall be handed by the elector voting to the inspector, who shall then, in his presence, deposit the same in the ballot box, and the judges shall enter the elector's name on the poll list.

Canvass
of votes.

SEC. 33. On the seventh day after said election, at eight o'clock p. m., the returns having been made to the board of trustees, the board must meet and canvass said returns, and if it appears that two thirds of the votes cast at said election were cast in favor of issuing such bonds, then the board shall cause an entry of such fact to be made upon its minutes and shall certify to the board of supervisors of the county, all the proceedings had in the premises, and thereupon said board of

supervisors shall be and they are hereby authorized and directed to issue the bonds of said district, to the number and amount provided in such proceedings, payable out of the building fund of said district, naming the same, and that the money shall be raised by taxation upon the taxable property in said district, for the redemption of said bonds and the payment of the interest thereon; *provided*, that the total amount of bonds so issued shall not exceed five per cent of the taxable property of said district, as shown by the last equalized assessment book of the county. [Amendment. *Statutes* 1911, p. 343.]

Issue of bonds.

Amount of bonds.

SEC. 34. The board of supervisors by an order entered upon its minutes shall prescribe the form of said bonds and of the interest coupons attached thereto, and must fix the time when the whole or any part of the principal of said bonds shall be payable, which shall not be more than forty years from the date thereof.

Form of bonds.

SEC. 35. Said bonds must not bear a greater amount of interest than six per cent, said interest to be payable annually or semiannually; and said bonds must be sold in the manner prescribed by the board of supervisors, but for not less than par, and the proceeds of the sale thereof must be deposited in the county treasury to the credit of the building fund of said library district, and be drawn out for the

Interest on bonds.

purposes aforesaid as other library moneys are drawn out.

Tax levy
for inter-
est and
redemp-
tion of
bonds.

SEC. 36. The board of supervisors, at the time of making the levy of taxes for county purposes, must levy a tax for that year upon the taxable property in such district, at the equalized assessed value thereof for that year, for the interest and redemption of said bonds, and such tax must not be less than sufficient to pay the interest of said bonds for that year, and such portion of the principal as is to become due during such year, and in any event must be high enough to raise, annually, for the first half of the term said bonds have to run, a sufficient sum to pay the interest thereon; and during the balance of the term, high enough to pay such annual interest, and to pay, annually, a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, and all moneys so levied, when collected, shall be paid into the county treasury to the credit of the said library district, and be used for the payment of principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer, upon the warrant of the county auditor, out of the fund provided therefor; and it shall be

the duty of the county auditor to cancel and file with the county treasurer the bonds and coupons as rapidly as they are paid.

SEC. 37. Whenever any bonds issued ^{Unsold bonds.} under the provisions of this act shall remain unsold for the period of six months after having been offered for sale in the manner prescribed by the board of supervisors, the board of trustees of the library district for or on account of which said bonds were issued, or of any library district composed wholly or partly of territory which, at the time of holding the election authorizing the issuance of such bonds, was embraced within the district for or on account of which such bonds were issued, may petition the board of supervisors to cause such unsold bonds to be withdrawn from market and canceled. Upon receiving such petition, signed by a majority of the members of said board of trustees, the supervisors shall fix a time for hearing the same, which shall be not more than thirty days thereafter, and shall cause a notice, stating the time and place of hearing, and the object of the petition in general terms, to be published for ten days prior to the day of hearing, in some newspaper published in said library district, if there is one, and if there is no newspaper published in said library dis-

Unsold
bonds.

trict, then in a newspaper published at the county seat of the county in which said library district or part thereof is situated. At the time and place designated in the notice for hearing said petition, or at any subsequent time to which said hearing may be postponed, the supervisors shall hear any reasons that may be submitted for or against the granting of the petition, and if they shall deem it for the best interests of the library district named in the petition that such unsold bonds be canceled, they shall make and enter an order in the minutes of their proceedings that said unsold bonds be canceled, and thereupon said bonds, and the vote by which they were authorized to be issued, shall cease to be of any validity whatever.

District
may be
dis-
solved.

SEC. 38. The district may at any time be dissolved upon the vote of two thirds of the qualified electors thereof, upon an election called by the library trustees of such district, upon the question of dissolution. Such election shall be called and conducted in the same manner as other elections of the district. Upon such dissolution, the property of the district shall vest in any incorporated town or city that may at such time be in occupation of a major portion of the territory of such library district and including within its town or city limits the property and

buildings wherein the library is situated; and if there be no such incorporated town or city, then the property shall be vested in the board of supervisors of the county until the formation of such a town or city; *provided, however*, that if, at the time of such election to dissolve such district, there be any outstanding bonded indebtedness of such district, the vote to dissolve such district shall dissolve the same for all purposes excepting only the levy and collection of taxes for the payment of such indebtedness; and from the time such district is thus dissolved until such bonded indebtedness, with the interest thereon, is fully paid, satisfied and discharged, the legislative authority of such incorporated town or city, or the board of supervisors, if there be no such incorporated town or city, is hereby constituted ex officio the library board of such district. And it is hereby made obligatory upon such board to levy such taxes and perform such other acts as may be necessary in order to raise money for the payment of such indebtedness and the interest thereon, as herein provided.

Tax levy
to cover
indebt-
edness
of dis-
solved
district.

SEC. 39. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 40. This act shall take effect immediately.

Deposit of Newspaper Files in Libraries.

An act to authorize the deposit of certain newspaper files kept in recorders' offices, in free public libraries.

[Statutes 1909, p. 436.]

Deposit
of news-
papers in
public
libraries.

SECTION 1. The county boards of supervisors of the several counties may authorize the recorders of their several counties to deposit with any free public library maintained at the county seat such newspaper files, or portions thereof, as may be in the custody of such recorders by virtue of an act approved April 8, 1862, and entitled "An act for the purchase and preservation of public newspapers, printed and published in the several counties of this state," or by virtue of any other act.

Agree-
ment re-
quired.

SEC. 2. Before making such deposit, the said board of supervisors shall obtain from the board of trustees or other authorities in charge of such free public library an agreement that they will properly preserve and care for such newspaper files, and make them accessible to the public.

COUNTY FREE LIBRARY LAW.

An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act."

[Statutes 1911, p. 80.]

SECTION 1. The boards of supervisors of the several counties shall have power to establish and maintain, within their respective counties, county free libraries in the manner and with the functions prescribed in this act.

Estab-
lishment
by
boards
of super-
visors.

SEC. 2. The board of supervisors of any county may establish at the county seat a county free library for that part of such county lying outside of incorporated cities and towns maintaining free public libraries, and outside of library districts maintaining district libraries, and for all such additional portions of such county as may elect to become a part of, or to participate in, such county free library system, as hereafter provided in

this act. At least once a week for two successive weeks prior to taking such action, the board of supervisors shall publish, in a newspaper designated by them and published in such county, notice of such contemplated action, giving therein the date of the meeting at which such action is proposed to be taken.

Incorporated cities and towns may become a part.

SEC. 3. After the establishment of a county free library as provided in this act, the board of trustees, common council or other legislative body of any incorporated city or town in the county maintaining a free public library, or the board of trustees of any library district maintaining a district library, may notify the board of supervisors that such city, town or library district desires to become a part of the county free library system, and thereafter such city, town or library district shall be a part thereof and its inhabitants shall be entitled to the benefits of such county free library, and the property within such city, town or library district shall be liable to taxes levied for county free library purposes. But the board of trustees, common council or other legislative body of any incorporated city or town in the county, or the board of trustees of any library district may at any time notify the board of supervisors that such city, town or library dis-

district no longer desires to be a part of the county free library system, and thereafter such city, town or library district shall cease to participate in the benefits of such county free library, and the property situated in such city, town or library district shall not be liable to taxes for county free library purposes; provided, however, that the board of trustees, common council or other legislative body of any incorporated city or town, or the board of trustees of any library district, shall publish, at least once a week for two successive weeks prior either to giving or to withdrawing such notice, in a newspaper designated by said board of trustees, city council or board of library trustees, and circulating throughout such city, town or library district, notice of such contemplated action, giving therein the date and the place of the meeting at which such contemplated action is proposed to be taken.

SEC. 4. The board of supervisors of any county wherein a county free library has been established under the provisions of this act, shall have full power and authority to enter into contracts with any incorporated city or town maintaining a free public library, and any such incorporated city or town shall, through its board of trustees or other legislative body, have power to enter into contracts with

Incorporated cities and towns may contract for service.

such county to secure to the residents of such incorporated city or town the same privileges of the county free library as are granted to, or enjoyed by, the residents of the county outside of such incorporated city or town, or such privileges as may be agreed upon in such contract, upon such consideration to be named in said contract as may be agreed upon, the same to be paid into the county free library fund, and thereupon the residents of such incorporated city or town shall have the same privileges with regard to said county free library as are had by the residents of such county outside of such incorporated city or town, or such privileges as may be agreed upon by said contract.

Counties
may
contract
with
each
other for
joint
service.

SEC. 5. The board of supervisors of any county wherein a county free library has been established under the provisions of this act, shall have full power and authority to enter into contracts or agreements with the board of supervisors of any other county to secure to the residents of such other county such privileges of such county free library as may, by such contract, be agreed upon and upon such consideration as may in said contract be agreed upon, the same to be paid into the county free library fund, and thereupon the inhabitants of such other county shall

have such privileges of such county free library as may by such contract be agreed upon; and the board of supervisors of such county shall have full power and authority to enter into a contract with the board of supervisors of another county wherein a county free library has been established under the provisions of this act, as in this section provided, and shall have power to levy a library tax as in this act provided, for the purpose of carrying out such contract, but the making of such contract shall not bar the board of supervisors of such county during the continuance of such contract, from establishing a county free library therein under the provisions of this act, if none be already established therein, and upon the establishment of such county free library, such contract may be terminated upon such terms as may be agreed upon by the parties thereto, or may continue for the term thereof.

SEC. 6. A commission is hereby created to be known as the board of library examiners, consisting of the state librarian, who shall be ex officio chairman of said board, the librarian of the public library of the city and county of San Francisco, and the librarian of the Los Angeles public library. The members of said board shall receive no compensation for their

Board of
library
exam-
iners.

services, except their actual and necessary traveling expenses, to be paid out of the state library fund. Said board shall pass upon the qualifications of all persons desiring to become county librarians, and may, in writing, adopt rules and regulations not inconsistent with law for its own government, and for carrying out the purposes of this act. Persons of either sex shall be eligible to certification for the office of county librarian.

Appoint-
ment of
county
libra-
rian.

SEC. 7. Upon the establishment of a county free library, the board of supervisors shall appoint a county librarian who shall hold office for the term of four years, subject to prior removal for cause after a hearing, by said board. No person shall be eligible to the office of county librarian unless prior to his appointment he has received from the board of library examiners a certificate of qualification for the office. At the time of his appointment, the county librarian need not be a resident of the county nor a citizen of the State of California.

Super-
vision.

SEC. 8. The county free library shall be under the general supervision of the board of supervisors, which shall have power to make general rules and regulations regarding the policy of the county free library, to establish, upon the recommendation of the county librarian,

branches and stations throughout the county and may locate said branches and stations in incorporated cities and towns wherever deemed advisable, to determine the number and kind of employees of such library, and to appoint and dismiss such employees upon the recommendation of the county librarian. Such employee shall not be removed except for cause, and in case any such removal be made upon the ground that the services of such employee are no longer required, such removed employee shall have the first right to be restored to such employment when such services are again required, but the board of supervisors may, at the time of appointing any employee, and upon the recommendation of the county librarian, enter into an agreement that such employee be employed for a definite time only. All employees of the county free library whose duties require special training in library work shall be graded in grades to be established by the county librarian, with the advice and approval of the state librarian, according to the duties required of them, experience in library work and other qualifications for the service required; and before appointment to a position in the graded service, the candidate must pass an examination appropriate to the position sought, satisfactory

Powers
and
duties of
county
libra-
rians.

Powers
and
duties of
county
libra-
rians.

to the county librarian, and show a satisfactory experience in library work. Work in approved library schools or libraries, or certificates issued by the board of library examiners, may be accepted by the county librarian in lieu of such examination. The county librarian may also accept as apprentices, without compensation, candidates possessing personal qualifications satisfactory to him and may dismiss the same at any time if in his judgment their work is not satisfactory to him.

Bond of
county
libra-
rian.

SEC. 9. The county librarian shall, prior to entering upon the duties of his office, file with the county clerk the usual oath of office and a bond, conditioned upon the faithful performance of his duties, with sufficient sureties approved by a judge of the superior court in the county of which the librarian is to be the county librarian, in such sum as may be determined by the board of supervisors. The county librarian shall, subject to the general rules adopted by the board of supervisors, build up and manage, according to accepted principles of library management, a library for the use of the people of the county, and shall determine what books and other library equipment shall be purchased. The salary per annum of the county librarian shall be as follows: In counties of the first to the third classes

inclusive, two thousand four hundred dollars; of the fourth to the tenth classes, inclusive, two thousand dollars; of the eleventh to the twentieth classes inclusive, eighteen hundred dollars; of the twenty-first to the thirtieth classes inclusive, fifteen hundred dollars; of the thirty-first to the forty-eighth classes inclusive, twelve hundred dollars; and of the forty-ninth to the fifty-seventh classes inclusive, five hundred dollars. The salary of each of the county librarians here provided shall be paid by each of such counties in equal monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. The county librarian and his assistant shall be allowed actual and necessary traveling expenses incurred on the business of the office.

Salary
of
county
librarian.

SEC. 10. The county free libraries of the state shall be under the general supervision of the state librarian, who shall from time to time, either personally or by one of his assistants, visit the county free libraries and inquire into their condition. The actual and necessary expenses of such visits shall be paid out of the state library fund. The state librarian shall annually call a convention of county librarians, to assemble at such time and place as he shall deem most con-

General
super-
vision by
state li-
brarian.

Conven-
tion.

venient, for the discussion of questions pertaining to the supervision and administration of the county free libraries, the laws relating thereto, and such other subjects affecting the welfare and interest of the county free libraries as shall properly be brought before it. It is hereby made the duty of all the county librarians to attend and take part in the proceedings of such convention. The actual and necessary expenses of the county librarians attending the convention shall be paid out of the county free library fund.

Annual
report.

SEC. 11. The county librarian shall, on or before the thirty-first day of July in each year, report to the board of supervisors and to the state librarian on the condition of the county free library, for the year ending June thirtieth preceding. Such reports shall, in addition to other matters deemed expedient by the county librarian, contain such statistical and other information as may be deemed desirable by the state librarian. For this purpose the state librarian may send to the several county librarians instructions or question blanks so as to obtain the material for a comparative study of library conditions in the state.

Tax levy.

SEC. 12. The board of supervisors, after a county free library has been established, shall annually levy, in the same

manner and at the same time as other county taxes are levied, and in addition to all other taxes, a tax not to exceed one mill on the dollar of assessed valuation upon all property in such county outside of incorporated cities and towns maintaining free public libraries, and library districts maintaining district libraries, and upon all property within incorporated cities, towns and library districts, which have elected to become a part of such county free library system as provided in this act, for the purpose of purchasing property for, establishing and maintaining the county free library. County bonds Bonds. may be issued, in the manner prescribed in section 4088 of the Political Code, for the erection and equipment of county free library buildings and the purchase of land therefor. The board of supervisors is Gifts. authorized to receive, on behalf of the county, any gift, bequest or devise for the county free library, or for any branch or subdivision thereof. The title to all property belonging to the county free library shall be vested in the county. All laws applicable to the collection of county taxes shall apply to the collection of the tax herein provided. All funds of the county free library, whether derived from taxation or otherwise, shall be in the custody of the county treasurer. They shall

Fund. constitute a separate fund, called the county free library fund, and shall not be used for any purposes except those of the county free library. Each claim against the county free library fund shall be authorized and approved by the county librarian, or in his absence from the county, by his assistant. It shall then be acted upon in the same manner as are all other claims against the county.

County
law
library
may co-
operate.

SEC. 13. In any county of this state where a law library may now or hereafter exist under the provisions of sections 4190 to 4204, inclusive, of the Political Code of the state, the board of supervisors of such county shall have power to enter into contracts, or agreements with the board of law library trustees of such law library for the co-operation of said law library and the county free library, and, in that connection, to contract or agree with the board of law library trustees of such law library that the county librarian and other employees of the county free library perform the duties required to be done or performed by the officers and employees of such law library as contemplated by section 4190 to 4204, inclusive, of the Political Code of this state for a compensation to be named in such contract or agreement, the same to be paid into the county free library fund.

SEC. 14. The board of supervisors shall

have power to accept on behalf of the county free library, all books and other property of school libraries and of the teachers' library as provided by sections 1565, 1715 and 1716 of the Political Code, and to manage and maintain the same as a part of the county free library.

School libraries and county teachers' library may become a part.

SEC. 15. After a county free library has been established, it may be disestablished in the same manner as it was established. At least once a week for two successive weeks prior to taking such action, the board of supervisors shall publish, in a newspaper designated by them, and published in the county, notice of such contemplated action, giving therein the date of the meeting at which such contemplated action is proposed to be taken.

Disestablishment.

SEC. 16. Instead of establishing a separate county free library, the board of supervisors may enter into a contract according to the provisions of this section with the board of library trustees or other authority in charge of the free public library of any incorporated city or town, and the board of library trustees, or other authority in charge of such free public library, is hereby authorized to make such a contract. Such contract may provide that the free public library of such incorporated city or town shall assume the functions of a county free library

Contract with public library to carry on work.

within the county with which such contract is made, including incorporated cities and towns therein. The board of supervisors may agree to pay annually into the library fund of such incorporated city or town such sum as may be agreed upon. Either party to such contract may terminate the same by giving six months' notice of intention to do so.

Repeal
of law
passed
in 1909.

SEC. 17. An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict herewith, are hereby repealed; *provided, however,* that any county library which may have been established and is now in existence under the provisions of the act approved April 12, 1909, shall be continued under the provisions of this act, and be considered the same as if established under the provisions of this act; *and provided further,* that in any case where a contract has been entered into between any county board of supervisors and any city or incorporated town under the provisions of section twelve of said act, the same shall continue in force, and the provisions of section sixteen of this act shall be applicable thereto, until the establishment and equipment of a county free library under the provisions of sections one to fifteen inclusive of this act, unless sooner terminated under the provisions thereof.

POLITICAL CODE.

§ 4041. The boards of supervisors, in their respective counties shall have jurisdiction and power, under such limitations and restrictions as are prescribed by law :

Powers
of Super-
visors.

* * * * *

7. To construct or lease, build or re-build, furnish or refurnish or repair hospitals and almshouses, court house, jail, historical museum, county free library building, branch library building, art gallery, and such other public buildings as may be necessary to carry out the work of the county government, and to provide all necessary officers, employees, attendants, and supplies for the proper maintenance of the same; *provided*, that a suitable graduate or graduates in medicine shall be appointed to attend to the indigent sick or dependent poor, or to the patients in such hospitals and almshouses; *provided, further*, that the board shall not let the care, maintenance, or attendance of such indigent sick or dependent poor by contract to any person.

Build
libraries,
etc.

Whenever the cost of construction of any bridge, wharf, chute, or other shipping facilities, or of any hospital, almshouse, court house, jail, historical museum, county free library building, branch library building, art gallery, or other public buildings, or the cost of any repairs

Work
costing
over
\$500 by
contract.

Advertise for
bids.

Award
to
lowest
bidder.

thereto, or furnishing thereof shall exceed the sum of five hundred dollars, such work shall be done by contract, and any contract therefor shall be void unless the same shall be let as hereinafter provided. The board of supervisors shall adopt plans and specifications, strain-sheets and working details therefor, and must advertise for bids for the performance of the said work in a newspaper of general circulation published in the county for at least twenty days. In case there is no newspaper published in said county, then such notice shall be given by posting in three public places for at least twenty days. All bidders shall be afforded opportunity to examine such plans and specifications, strain-sheets and working details, and said board shall award the contract to the lowest responsible bidder, and the person, firm or corporation to whom the contract shall be awarded must perform the work in accordance with the said plans and specifications, strain-sheets and working details, unless the same be modified by a unanimous vote of the members of the board of supervisors; and in every such case if the cost of the work be reduced by reason of the modification, compensation must be made to the county therefor, and the person, firm, or corporation, to whom the contract shall be awarded must execute

bond to be approved by the said board or the faithful performance of such contract; *provided*, that for the construction of any bridge, wharf, chute, or other shipping facilities, or any repairs thereto if the board of supervisors shall be advised by the county surveyor that the work can be done for a sum less than the lowest responsible bid, it shall then be their privilege to reject all bids and to order the work done or structure built by day's work, under the supervision and direction of the said surveyor; *provided*, that the road commissioners or road overseers in their respective districts shall employ all labor required, and direct the conduct of work of any kind upon any and all public roads; *provided, further*, Emergency cases. that in cases of great emergency, caused by flood, fire, earthquake, or act of God, by the unanimous consent of the whole board, they may proceed at once to replace or repair any and all bridges and structures without adopting the plans and specifications, strain-sheets, or working details, or giving notice for bids to let contract; the work to be done by day labor under the direction of the board or by contract, or by a combination of the two; if wholly or in part by contract, the contractor to be paid the actual cost of material and labor expended by him in

doing the work, plus fifteen per cent to cover all profit, supervision, use of machinery, and tools, and other expenses; *provided*, that no more than the lowest current market prices shall be paid for material.

[Amendment, *Statutes* 1913, p. 668.]

COUNTY TEACHERS' LIBRARIES.

POLITICAL CODE.

§ 1565. Except for a temporary certificate, every applicant for a teacher's certificate, or for the renewal of a certificate, upon presenting his application, shall pay to the county superintendent a fee of two dollars. All money so received by the county superintendent shall immediately be deposited by him in the county treasury. The county treasurer shall credit one half of all moneys so received to a separate fund to be known as the teachers' institute fund and the other half to a fund to be known as the teachers' library fund. The teachers' institute fund may be expended in payment of the services of such instructors in the county teachers' institute as are not teachers in the public schools of the county in which such institute is held. For this purpose warrants may be drawn by the auditor upon the request of the county superintendent. The teachers' library fund may be expended, in a similar manner for the establishment of a teachers' library and for the transportation of library books, and other reading matter of

Fee for
certifi-
cate.

May
become
part of
county
library
system.

the teachers' library, to and from the various schools of the county. The county superintendent may act as librarian thereof, but whenever in any county there is a county library, the county superintendent may require the county treasurer to credit all moneys payable to the teachers' library fund to the county library fund and may transfer to the county library all books and other property belonging to the teachers' library, and thereupon the county library shall administer the teachers' library as part of itself; but all funds received from the county superintendent in accordance with this section shall be expended exclusively for the purchase and maintenance of books of professional interest to teachers. [Amendment. *Statutes* 1909, p. 35.]

SCHOOL LIBRARIES.

POLITICAL CODE.

§1617. The powers and duties of trustees of common school districts, and of boards of education in city school districts, are as follows: Powers and duties of school trustees.

* * * *

Eleventh—To appoint and, in their discretion, pay district librarians, and enforce the rules prescribed for the government of district libraries. District librarians.

Twelfth—To exclude from school and school libraries all books, publications, or papers of a sectarian, partisan or denominational character. Sectarian publications.

* * * *

Eighteenth—Boards of trustees, may, and upon a petition signed by a majority of the heads of families resident in the district, must call meetings of the qualified electors of the district for determining or changing the location of the school-house, or for consultation in regard to any litigation in which the district may be engaged, or be likely to become engaged, or in regard to any affairs of the district. Such meetings shall be called by posting three notices in public places, Change of locations of schools.

one of which shall be in a conspicuous place on the schoolhouse, for not less than ten days previous to the time for which the meeting shall be called, which notices shall specify the purposes for which said meetings shall be called; and no other business shall be transacted at such meetings. District meetings shall be organized by choosing a chairman from the electors present, and the district clerk shall be clerk of the meeting, and shall enter the minutes thereof on the records of the district. A meeting so called shall be competent to instruct the board of trustees:

* * * *

Instruc-
tions.

3. In regard to prosecuting, settling or compromising any litigation in which the district may be engaged, or be likely to become engaged, and may vote money, not exceeding one hundred dollars in any one year, for any of these purposes in addition to any amount which may be raised by the sale of district school property, and the insurance of property destroyed by fire; *provided*, that the proceeds of the insurance of the library and apparatus shall be paid into the library fund. * *

[Amendment. *Statutes* 1913, p. 1136.]

School
trustees
expend
library
fund.

§ 1712. *First*—The board of school trustees, and the city board of education in any city, must expend the library fund, together with such moneys as may be

added thereto by donation, in the purchase of school apparatus and books for a school library, including books for supplementary work; and no warrant shall be drawn by the superintendent of schools upon the order of any board of trustees against the library fund of any district unless such order is accompanied by an itemized bill, showing the books and apparatus, and the price of each, in payment of which the order is drawn, and unless such books and apparatus have been adopted by the county, or city, or city and county board of education. All orders of the trustees and of boards of education for books or apparatus must in every case be submitted to the superintendent of schools of the county, or city, or city and county, respectively, for his approval, before said books or apparatus shall be purchased.

Second—The trustees of each district shall cause each book now in their district school library, or that may hereafter be placed in said library, to be stamped on the flyleaf, on the title page, and on each one hundredth page of the book, with the words, "Department of Public Instruction, State of California, ----- County, ----- District Library," and the county superintendent is hereby authorized and instructed to procure such

Each book to be stamped.

stamp for each district in his county, and to pay for the same out of the county school fund of such district. [Amendment. *Statutes* 1893, p. 256.]

Library
fund.

§ 1713. Except in cities not divided into school districts the library fund shall consist of not less than five nor more than ten per cent of the county school fund annually apportioned to the district; *provided*, that should ten per cent exceed fifty dollars, fifty dollars only shall be apportioned to the district; except that in districts having five or more teachers, there shall be apportioned a sum not less than ten dollars nor more than fifteen dollars for each teacher employed; *and provided, further*, that the school trustees of each district in the county shall, in the month of July in each year, notify the superintendent of the county as to what amount they desire to be apportioned for their respective districts for the year. [Amendment. *Statutes* 1903, p. 363.]

Library
fund in
cities.

§ 1714. In cities not divided into school districts, the library fund shall consist of a sum not to exceed fifty dollars, for every one thousand children or fraction thereof of five hundred or more, between the ages of five and seventeen years, annually taken from the city or county school fund apportioned to the city. The superintendent shall apportion

the library fund in cities not divided into districts among the several schools in proportion to the average number of children belonging to each school; *provided*, that in city and county the library fund shall consist of a sum equal to or at least ten dollars for each teacher employed in such city and county. [Amendment. *Statutes* 1911, p. 1355.]

§ 1715. Libraries may be maintained under the control of the district board of trustees or city board of education, and in such case shall be open to the use of the teachers, pupils and all residents of the district. Wherever practicable, the library shall be kept open during vacation and non-school days. Whenever the county in which a district is situated shall maintain a county library, the board of school trustees or city board of education may agree with the proper authorities of such county to make the school library a branch of such county library. In such event, such board of school trustees or city board of education shall turn over the books and other property of the district library to the county library, and shall annually transfer to such county library its library fund, as soon as it is available, to be kept and expended as other funds of such county library. The said county library shall thereupon make

School
libraries
open to
all
resi-
dents.

May
become
branch
of
county
system.

such district library a branch library, managed and maintained according to the rules and regulations established by the authorities of the county library. [Amendment. *Statutes* 1909, p. 245.]

School
libra-
rian.

§ 1716. The board of school trustees of a district maintaining its own library shall have power to appoint a teacher or other proper person librarian of the district library. It shall be the duty of such librarian to manage such library as efficiently as possible, and whenever expedient request the advice and assistance of some person experienced in the art of managing libraries. Whenever a district library shall have become a branch library as provided in section 1715 of this code, the provisions of subdivision 2 of section 1712, and of section 1717 of this code, shall not apply to them; but in all such cases the county, or city, or county and city, superintendent of schools may draw a warrant for the whole amount of the district library fund, payable to the proper authorities of the county library, upon the filing with him of a copy of the resolution of the board of trustees of the district, or city board of education, embodying the agreement made with such county library, which copy shall be duly certified as correct by the clerk of the district, or other proper officer. [Amendment. *Statutes* 1909, p. 246.]

Warrant
payable
to county
library.

§ 1717. The trustees shall be held ac-Trustees
countable for the proper care and pres-account-
ervation of the library, and shall have-able for
power to assess and collect all fines, pen-care of
alties, and fees of membership, and to school
make all needful rules and regulations not library.
provided for by the state board of educa-
tion, and not inconsistent therewith; and
they shall report annually to the county
superintendent all library statistics which
may be required by the blanks furnished
for the purpose by the superintendent of
public instruction. [New section. *Stat-
utes* 1874, p. 100.]

Union High School District Libraries.

An act to allow union high school districts to establish, equip and maintain public libraries; to provide for the formation, government and operation of such library districts; the acquisition of property thereby; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein.

[Statutes 1911, p. 467.]

Union
high
school
district
may es-
tablish
public
library.

SECTION 1. Any union high school district of this state may establish, equip and maintain a public library for the the dissemination of a knowledge of the arts, sciences and general literature, in accordance with the provisions of this act.

Petition
to
super-
visors.

SEC. 2. Upon the application, by petition, of fifty or more taxpayers and residents of any union high school district to the board of supervisors in the county in which said union high school district is located, praying for the formation of a library district, and setting forth the boundaries of the said proposed district; the said board of supervisors must, within ten days after receiving said petition, by resolution, order that an election be held in the said proposed district for the deter-

mination of the question and shall appoint three qualified electors thereof to conduct said election.

SEC. 3. Said election shall be called ^{Notice of election.} by posting notice thereof in three of the most public places in said proposed library district, and by publication in a daily or weekly paper therein, if there be one, at least once a week for not less than fifteen days. Said notices must specify the time, place and the purposes of said election, and the hours during which the polls will be kept open; *provided*, that in districts with a population of ten thousand or over, the polls must be opened at eight o'clock ^{Polls open.} a. m., and kept open until seven oclock p. m., and in districts where the population is less than ten thousand, the polls must not be opened before one o'clock p. m., and must be kept open not less than six hours.

SEC. 4. Said election shall be conduct- ^{Election, how conducted.} ed in accordance with the general election laws of this state, where applicable, without reference to form of ballot or manner of voting, except that the ballots shall contain the words "For union high school library district," and the voter shall write or print after said words on his ballot the word "Yes," or the word "No."

SEC. 5. Every qualified elector, resi- ^{who may vote.} dent within the proposed district for the

period requisite to enable him to vote at a general election, shall be entitled to vote at the election above provided for.

Report
of
result.

SEC. 6. It shall be the duty of the election officers to report the result of said election to the board of supervisors within five days subsequent to the holding thereof.

Two-
thirds
vote
for.

SEC. 7. If two thirds of the votes at said election shall be in favor of a union high school library district, the said board of supervisors must, by resolution, establish said library district, and place the said district in the control of the trustees of said union high school district. Said trustees shall severally hold office during the term for which they shall have been elected as trustees of such union high school district.

One-
third
vote
against.

SEC. 8. If one third of the votes cast shall be against a library district, the board of supervisors shall, by order, so declare; no other proceedings shall be taken in relation thereto until the expiration of one year from the date of presentation of the petition.

Record
on
minutes
of
super-
visors.

SEC. 9. The fact of the presentation of the petition, and the order establishing the library district shall be entered in the minutes of the board of supervisors and shall be conclusive evidence of the due presentation of a proper petition, and that each of the petitioners was, at the time of

signature and presentation of the petition, a taxpayer and resident of the proposed district, and of the fact and regularity of all prior proceedings of every kind and nature provided for by this act, and of the existence and validity of the district.

SEC. 10. Boards of library trustees shall meet at least once a month, at such time and place as they may fix by resolution. Special meetings may be called at any time by two trustees, by written notices served upon each member at least twelve hours before the time specified for the meeting. Three members shall constitute a quorum for the transaction of business. At its first meeting held after the first day of July the board shall organize by electing one of its number president, and another one of its number secretary; they shall serve as such for one year or until their successors are elected and qualified. Such board shall cause a proper record of its proceedings to be kept, and at the first meeting of the board of trustees of any library formed under the provisions of this act, it must immediately cause to be made out and filed with the state librarian at Sacramento a certificate showing that such library has been established, with the date thereof, the names of the trustees, and the officers of the board chosen for the current fiscal year.

Library
trustees,
meet-
ings,
etc.

Powers. **SEC. 11.** The board of library trustees, as herein provided for, and their successors, shall be authorized and they are hereby empowered, and it shall be their duty :

First—To make and enforce all rules, regulations and by-laws necessary for the administration, government and protection of the libraries under their management, and all property belonging thereto.

Second—To administer any trust declared or created for such libraries, and receive by gift, devise, or bequest, and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries.

Third—To prescribe the duties and powers of the librarian, secretary, and other officers and employees of any such libraries ; to determine the number of and appoint all such officers and employees, and fix their compensation, which said officers and employees shall hold their offices and positions at the pleasure of said boards.

Fourth—To purchase necessary books, journals, publications and other personal property.

Fifth—To purchase such real property, and erect or rent and equip, such building or buildings, room or rooms, as in their

judgment may be necessary to properly Powers.
carry out the provisions of this act.

Sixth—To require the secretary of state and other state officials to furnish such libraries with copies of any and all reports, laws, and other publications of the state not otherwise disposed of by law.

Seventh—To borrow books from, lend books to and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as the board may prescribe.

Eighth—To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.

Ninth—To file, through their secretary, on or before the last day in the month of July of each year, a report with the state librarian at Sacramento giving the condition of their library and the number of volumes contained therein on the thirtieth day of June preceding.

Tenth—To designate the hours during which the library shall be open for the use of the public; *provided, however*, that all public libraries established under the provisions of this act, shall be open for the use of the public at all reasonable times.

SEC. 12. In any library district formed Yearly
under the provisions of this act, which is esti-
now maintaining a public library, or which mate
shall have petitioned for and has been of ex-
penses.

granted permission to establish, and intends to maintain, a public library in accordance with this act; it shall be the duty of the board of library trustees therein, to furnish to the board of supervisors of the county wherein said library district is situated, each and every year, on or before the first day of September, an estimate of the cost of leasing temporary quarters; purchasing a suitable lot; of procuring plans and specifications and erecting a suitable building; of furnishing and equipping the same, and of fencing and ornamenting the grounds, for the accommodation of the public library, and of conducting and maintaining the same for the ensuing fiscal year, or for any or all of said purposes; *provided, however*, that the board of library trustees, may, when in its judgment it is deemed advisable, and upon the petition of fifty or more taxpayers residing within said library district, must, call an election and submit to the electors of the said library district whether the bonds of said library district shall be issued and sold for any or all of the purposes of this act.

Bond
election.

Tax
levy.

SEC. 13. When such estimate shall have been submitted to the board of supervisors of any county in which a public library district has been established, the said board of supervisors, must, at the

time of levying county taxes, levy a special tax upon all the taxable property within the limits of the said library district, sufficient in amount to maintain the said union high school library, or to purchase the site, erect and equip the building, improve the grounds or building, or for any or all of the purposes of this act. The taxes so levied shall be computed, entered upon the tax roll, and collected in the same manner as other taxes are computed, entered and collected.

SEC. 14. The revenue derived from said tax, together with all money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be paid into the county treasury to the credit of the library fund of the district wherein said tax was collected, subject only to the order of the library trustees of said district. If such payment into the treasury should be inconsistent with the terms or conditions of any such gift, devise, or bequest, the board of library trustees shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise or bequest.

SEC. 15. Every union high school library established under the provisions of this act shall be forever free to the inhabitants and non-resident taxpayers of the

library district, subject always to such rules, regulations, and by-laws as may be made by the board of library trustees; *also provided*, that for violations of the same a person may be fined or excluded from the privileges of the library.

Con-
tracts
with
neigh-
boring
dis-
tricts.

SEC. 16. Boards of library trustees and the boards of trustees of neighboring library districts, or the legislative bodies of neighboring municipalities, or boards of supervisors of the counties in which public libraries are situated, may contract to lend the books of such libraries to residents of such counties or neighboring municipalities, or library districts; upon a reasonable compensation to be paid by such counties, neighboring municipalities, or library districts.

Title to
property.

SEC. 17. The title to all property acquired for the purposes of such libraries, when not inconsistent with the terms of its acquisition, or not otherwise designated, shall vest in the district in which such libraries are, or are to be situated.

Name of
district.

Every library district must be designated by the name and style of _____ library district, (using the name of the district), of _____ county, (using the name of the county in which said district is situated); and in that name the trustees may sue and be sued, and may hold and convey property for the use and

benefit of such district. A number must not be used as a part of the designation of any library district.

SEC. 18. The board of trustees of any library district may, when in their judgment it is deemed advisable, and must, upon a petition of fifty or more taxpayers and residents of said library district, call an election and submit to the electors of the district, whether the bonds of such district shall be issued and sold for the purpose of raising money for the purchase of suitable lots, of procuring plans and specifications and of erecting a suitable building, of furnishing and equipping the same, and of fencing and ornamenting the grounds, for the accommodation of the union high school library, or for any or all of the said purposes, or for any or all of the purposes of this act; for liquidating any indebtedness incurred for said purposes, and for refunding any outstanding valid indebtedness, evidenced by bonds or warrants of the district.

SEC. 19. Voting must be by ballot (without reference to the general election law in regard to form of ballot, or manner of voting), except that the words to appear on the ballot shall be, "Bonds—Yes," and "Bonds—No," and except further, that persons voting at such bond election shall put a cross (X) upon their

ballots with pencil or ink, after the words, "Bonds—Yes," or "Bonds—No," (as the case may be) to indicate whether they have voted for or against the issuance of the bonds; which said ballot shall be handed by the elector voting to the inspector, who shall then, in his presence, deposit the same in the ballot box, and the judges shall enter the elector's name on the poll list. The polls must be open during said election from 8 a. m. to 5 p. m.

Canvass
of votes.

SEC. 20. On the seventh day after said election, at eight o'clock p. m., the returns having been made to the board of trustees, the board must meet and canvass said returns, and if it appears that a two thirds of the votes cast at said election was in favor of issuing such bonds, then the board shall cause an entry of such fact to be made upon its minutes and shall certify to the board of supervisors of the county, all the proceedings had in the premises, and thereupon said board of supervisors shall be and they are hereby authorized and directed to issue the bonds of said district, to the number and amount provided in such proceedings, payable out of the building fund of such district, naming the same, and that the money shall be raised by taxation upon the taxable property in said district, for the redemption of said bonds and the payment of the interest

thereon; *provided*, that the total amount of bonds so issued shall not exceed five per cent of the taxable property of said district, as shown by the last equalized assessment book of the county. ^{Maximum bonds.}

SEC. 21. The board of supervisors by an order entered upon its minutes shall prescribe the form of said bonds and of the interest coupons attached thereto, and must fix the time when the whole or any part of the principal of said bonds shall be payable, which shall not be more than forty years from the date thereof. ^{Bonds, form, interest, etc.}

SEC. 22. Said bonds must not bear a greater amount of interest than six per cent, said interest to be payable annually or semiannually; and said bonds must be sold in the manner prescribed by the board of supervisors, but for not less than par, and the proceeds of the sale thereof must be deposited in the county treasury to the credit of the building fund of said library district, and be drawn out for the purposes aforesaid as other library moneys are drawn out. ^{Maximum interest.}

SEC. 23. The board of supervisors, at the time of making the levy of taxes for county purposes, must levy a tax for that year upon the taxable property in such district, at the equalized assessed value thereof for that year, for the interest and redemption of said bonds, and such tax ^{Tax levy for interest, etc., on bonds.}

must not be less than sufficient to pay the interest of said bonds for that year, and such portion of the principal as is to become due during such year, and in any event must be high enough to raise, annually, for the first half of the term said bonds have to run a sufficient sum to pay the interest thereon; and during the balance of the term, high enough to pay such annual interest, and to pay, annually, a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, and all moneys so levied, when collected, shall be paid into the county treasury to the credit of the said library district, and be used for the payment of principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer, upon the warrant of the county auditor, out of the fund provided therefor; and it shall be the duty of the county auditor to cancel and file with the county treasurer the bonds and coupons as rapidly as they are paid.

Unsold
bonds.

SEC. 24. Whenever any bonds issued under the provisions of this act shall remain unsold for the period of six months after having been offered for sale in the

manner prescribed by the board of supervisors; the board of trustees of the library district for or on account of which said bonds were issued; or of any library district composed wholly or partly of territory which, at the time of holding the election authorizing the issuance of such bonds, was embraced within the district for or on account of which such bonds were issued; may petition the board of supervisors to cause such unsold bonds to be withdrawn from market and canceled. Upon receiving such petition, signed by a majority of the members of said board of trustees, the supervisors shall fix a time for hearing the same, which shall be not more than thirty days thereafter, and shall cause a notice, stating the time and place of hearing, and the object of the petition in general terms, to be published for ten days prior to the day of hearing, in some newspaper published in said library district, if there is one, and if there is no newspaper published in said library district, then in a newspaper published at the county seat of the county in which said library district or part thereof is situated. At the time and place designated in the notice for hearing said petition, or at any subsequent time to which said hearing may be postponed, the supervisors shall hear any reasons

Unsold
bonds.

that may be submitted for or against the granting of the petition, and if they shall deem it for the best interests of the library district named in the petition that such unsold bonds be canceled, they shall make and enter an order in the minutes of their proceedings that said unsold bonds be canceled, and thereupon said bonds, and the vote by which they were authorized to be issued, shall cease to be of any validity whatever.

Dissolu-
tion of
district.

SEC. 25. The district may at any time be dissolved upon the vote of two thirds of the qualified electors thereof, upon an election called by the library trustees of such district, upon the question of dissolution. Such election shall be called and conducted in the same manner as other elections of the district. Upon such dissolution, the property of the district shall vest in any union high school district in which said library is situated; *provided, however*, that if, at the time of such election to dissolve such district, there be any outstanding bonded indebtedness of such district, the vote to dissolve such district shall dissolve the same for all purposes excepting only the levy and collection of taxes for the payment of such indebtedness; and from the time such district is thus dissolved until such bonded indebtedness, with the interest

thereon, is fully paid, satisfied and discharged, and the board of supervisors is hereby constituted *ex officio* the library board of such district. And it is hereby made obligatory upon such board to levy such taxes and perform such other acts as may be necessary in order to raise money for the payment of such indebtedness and the interest thereon, as herein provided.

SEC. 26. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 27. Where the words "trustees" or "library trustees" appear in this act the same shall be construed to mean the regularly elected union high school trustees, and where the words "library," "library district" or "library districts" appear in this act, the same shall be construed to mean "union high school library districts." ^{Definitions.}

SEC. 28. This act shall take effect immediately.

COUNTY LAW LIBRARIES.

POLITICAL CODE.

[Sections 4190-4204 codified 1907. *Statutes* 1907, p. 407.]

Law
library,
how
estab-
lished.

§ 4190. On the commencement in, or removal to, the superior court of any county in this state of any civil action, proceeding, or appeal, on filing the first papers therein, the party instituting such proceeding, or filing the said first papers, and thereafter any defendant or respondent or adverse party, or intervening party, on his first appearance therein (or any number of such defendants or respondents or adverse parties appearing jointly therein), shall pay to the clerk of said court (in addition to fees fixed by law), the sum of one dol-

Fees for.

Control.

lar as costs, for a fund which shall be designated as the "Law Library Fund," to be expended in the purchase of law books and periodicals, and in the establishment and maintenance of a law library at the county seat of said county, which law library shall be governed and controlled, and said fund be expended by the board of trustees hereinafter provided.

§ 4191. All moneys collected as provided in the preceding section shall be paid by said clerk into the hands of the treasurer of his county, who shall keep the same separate and apart in the "law library fund," and shall be drawn therefrom as in this article provided, but only to be used and applied to the purposes herein authorized.

§ 4192. Any law library established under the provisions of this act shall be governed and managed by the "Board of Law Library Trustees" in this article provided.

§ 4193. There shall be in every county of this state a board of law library trustees, consisting of five members, to be constituted as follows: In every county where there are only three superior court judges, the said judges shall be ex officio such library trustees; the chairman of the board of supervisors shall be ex officio such a trustee; and the board of supervisors shall appoint a member of the bar of the county to act as such trustee; such appointment shall be made at the first meeting of the board of supervisors after the establishment of a law library in such county, and the appointee shall serve until the first meeting of the board of supervisors in the succeeding January; and the said board shall, at any such meeting in

each succeeding January, appoint such a trustee to serve for the term of one year. In every county where there are more than three judges of the superior court, the judges of such county shall elect three of their number to serve as such trustees, and otherwise said board shall be as provided in this section. In all counties where there are less than three judges of the superior court, the board shall be constituted as provided in this section, save that the board of supervisors shall appoint sufficient members of the bar to make up the requisite number of trustees.

Office of,
honor-
ary.

§ 4194. The office of trustee shall be honorary, and without salary or other compensation.

Duties
and
powers of
trustees.

§ 4195. Such board of trustees, by a majority vote of all their members, to be recorded in the minutes, with the ayes and noes at length, shall have power:

First—To make and enforce all rules, regulations, and by-laws necessary for the administration, government, and protection of such library, and all property belonging thereto, or that may be loaned, devised, bequeathed, or donated to the same.

Second—To remove any trustee, except an ex officio trustee, who may neglect to attend the meetings of the board of trustees, or who may absent himself from such

meetings, and fill all vacancies that may from any cause occur in the board.

Third—To define the powers and prescribe the duties of any and all officers, determine the number, and elect all necessary subordinate officers and assistants, and at their pleasure remove any officer or assistant.

Fourth—To purchase books, journals, publications, and other personal property,

Fifth—To order the drawing and payment, upon properly authenticated vouchers, duly certified by the president and secretary, of money from out of the law library fund, for any liability or expenditure herein authorized, and generally do all that may be necessary to carry into effect the provisions of this article.

Sixth—To fix the salaries of the librarian, secretary, and other subordinate officers and assistants.

Seventh—To contract with any existing law library association to make use of its library for the purposes of a public law library, under proper rules and regulations to be prescribed by the board of trustees, either by lease or such other contract as may best carry the purposes of this article into effect.

§ 4196. The orders and demands of the trustees of any such public law library, when duly made and authenticated as above provided, shall be verified and

Duties
and
powers of
trustees.

Duties of
auditor
and
treas-
urer.

audited by the auditing officer, and paid by the treasurer of such county out of the library fund properly belonging thereto, of which full entry and record shall be kept as in other cases.

Annual
report of
trustees.

§ 4197. The said board of trustees, on or before the first Monday in December of each year, shall make an annual report to the board of supervisors of their county, giving the condition of their trust, with full statements of all their property and money received, whence derived, how used and expended, the number of books, periodicals, and other publications on hand; the number added by purchase, gift, or otherwise during the year; the number lost or missing, and such other information as might be of interest. A financial report, showing all receipts and disbursements of money, shall also at the same time be made by the secretary of the board of trustees, duly verified by his oath.

Library
room.

§ 4198. The board of supervisors of any such county shall provide a library room for the use of such library, whenever such room may be demanded by such board of trustees.

Meet-
ings.

§ 4199. The said board of trustees shall meet the first Tuesday of each month, and at such other times as they may appoint, at a place to be appointed for that pur-

pose; and a majority of all their number shall constitute a quorum for business. They shall appoint one of their number ^{Officers.} as president of their board. They shall elect a secretary, who shall keep a full statement and account of all property, money, receipts and expenditures, and a record and full minutes, in writing, of all their proceedings. They may appoint a librarian. The secretary may certify to such proceedings, or any part or portion thereof, under his hand, verified by an official seal, adopted and provided by the trustees for that purpose.

§ 4200. Said libraries shall be free to ^{Who} the judiciary, county officials, and mem- ^{entitled} bers of the bar of said county, and to all ^{to privi-} inhabitants of said county; but the board of trustees may provide that no books shall be removed from said libraries, except by the judiciary, county officials, and members of the bar, without the payment of such dues as the board of trustees may ordain, and under such rules or regulations as may be by them provided.

§ 4201. The secretary of state is hereby ^{Secretary of} authorized and directed to transmit to ^{state to} the county clerk of each county of the ^{furnish} state, for the use of said library, a copy ^{publica-} of each and every publication which may hereafter be made by this state, and especially a copy of each report of the

decisions of the supreme court, district courts of appeal, and of the statutes of this state; and also a copy of all such reports and statutes heretofore published

Supreme
court
library,
dupli-
cate
books.

§ 4202. The librarian of the supreme court library is hereby authorized and directed to distribute among the law libraries herein provided for such duplicates of books as may be in state library, and not needed for its own purposes.

Limita-
tions on
effect of
this
article.

§ 4203. Wherever a law library, and a board of trustees to govern the same, is in existence under the provisions of any law in any county, or city and county, in this state, this article shall not be considered a repeal of any legislation under which such library is established and now governed, but shall be deemed to confer upon such library the benefits of section forty one hundred and ninety; *provided, however*, that it shall be discretionary with the board of supervisors of any county to provide by ordinance for the application of the provisions of this article to such county.

May be
discon-
tinued,
how.

§ 4204. Whenever the board of supervisors in any county in this state which shall have adopted the provisions of this article and have established a law library desire to discontinue such law library they shall by ordinance declare their intention so to do, and shall provide in such

ordinance that the books already in the library shall be transferred to and kept in the chambers of the judges of the superior court of such county; and all moneys on hand in the library fund of such county shall be by the same ordinance transferred to the school fund of such county, and the office of the board of trustees of such law library shall be abolished. After such an ordinance shall take effect, the county clerk of such county shall not collect the fees provided for in section four thousand one hundred and ninety.

§ 4221a. The boards of supervisors of the several counties of this state are hereby authorized at their discretion to set apart each month from the fees collected by the county clerks in addition to fund now provided for by law, a sum not exceeding thirty dollars in any one month, to be paid by the county clerk into the "law library fund" designated in section four thousand one hundred and ninety of this code and when so paid into said fund the same shall constitute a part thereof and to be used for the same purpose as said fund is now used. [New section. *Statutes* 1909, p. 210.]

SUPREME COURT LIBRARY.

POLITICAL CODE.

Who may use. § 2313. This library is for the use of the justices and counselors-at-law of the supreme court.

Librarian. § 2314. The justices of the supreme court are hereby authorized to appoint a librarian for the supreme court library, who, under their direction, shall conduct its affairs and be responsible for its care. He shall receive the salary provided for in section seven hundred and thirty-nine of this code. [Amendment. *Statutes* 1907, p. 209.]

Who may take books. § 2315. Books may be taken from this library by the justices of the supreme court. At the request of a counselor of the court, the bailiff must take from the library to the courtroom books for use in the argument of any cause.

Fund. § 2316. The supreme court library fund consists of fees collected by the clerk of the court, as provided in section 753 of this code, and is under the control of the court. Upon its order the controller must, without the approval of any board, draw his warrant upon the treasurer for the amount specified, and in favor of the per-

son designated in such order, which warrant must be paid out of such fund.

§ 753. All fees collected by him [clerk Fund. of supreme court] must be paid into the state treasury, eighty per cent thereof to the credit of the general fund, and twenty per cent thereof to the credit of the supreme court library fund. [Amendment. *Statutes* 1878, p. 23.]

§ 739. The annual salaries of the officers connected with the supreme court are as follows: * * * the librarian, fifteen hundred dollars. [Amendment. *Statutes* 1911, p. 321.]

STATE LIBRARY.

POLITICAL CODE.

Board of
trustees.

§ 2292. The state library is under the control of a board of trustees consisting of five members, holding their offices for the term of four years, and appointed by the governor in the following manner, to wit: Three trustees shall be appointed for the full term of four years, from and after the twenty-eighth day of February, nineteen hundred and two; and two trustees shall be appointed for the term of two years from and after said date. At the expiration of the terms of office of the trustees appointed as above provided, their successors shall thereafter be appointed for the full term of four years. Appointments to fill vacancies caused by death, resignation, or removal shall be for the unexpired term only. [Amendment. *Statutes* 1899, p. 30.]

§ 2293. The powers and duties of the board are as follows:

Powers
and
duties of
board.

1. To make rules and regulations, not inconsistent with law, for its government and for the government of the library;

2. To appoint a librarian, who may appoint an assistant state librarian; said assistant shall be a civil executive officer;

3. To authorize the librarian to ap- Powers
and
duties of
board.
point such other assistants as may be
necessary ;

4. To sell or exchange duplicate copies
of books ;

5. To keep in order and repair the
books and property in the library ;

6. To draw from the state treasury at
any time, all moneys therein belonging to
the library fund ;

7. To prescribe rules and regulations
permitting persons other than those
named in section twenty-two hundred
and ninety-six to have the use of books
from the library ;

8. To collect and preserve statistics and
other information pertaining to libraries,
which shall be available to other public
libraries within the state applying for the
same ;

9. To make to the governor, biennially,
a report of its transactions ;

10. To establish, in their discretion, de-
posit stations in various parts of the
state, under the control of an officer or
employee of the state library ; *provided*,
that no books shall be kept permanently
away from the main library, which may
be required for official use. [Amendment.
Statutes 1913, p. 1149.]

§ 2294. The librarian holds his office Term of
libra-
rian.
for the term of four years, unless sooner

removed by a unanimous vote of all the trustees.

Duties.

§ 2295. It is the duty of the librarian :

1. To be in attendance at the library during office hours.

2. To act as secretary of the board of trustees, and keep a record of their proceedings.

3. To purchase books, maps, engravings, paintings, and furniture for the library.

4. To number and stamp all books and maps belonging to the library, and to keep a catalogue thereof.

5. To have bound all books and papers that require binding.

6. To keep a register of all books and property added to the library, and of the cost thereof.

7. To keep a register of all books taken from the library.

8. To index the statutes of each session of the legislature and to furnish the marginal notes therefor; to index the journals and resolutions of the senate and assembly.

9. To revise and bring up to date the "Index to the laws of California," whenever provision for printing and binding the volume may be made.

10. To compile such volumes and pamphlets of laws or other matter as

may be required by any state officer or department in the exercise of his or its official duties, or as may be required for the general information of the people of the state. Before any work of compiling or printing any such publication may be undertaken by the state librarian the facts in each case must be presented to the state board of control for its approval. It shall be the duty of the officer or department requiring such compilation to furnish the state librarian with such data and information as he may require. The cost of printing a publication requested by an officer or department shall be paid for out of the printing fund of such officer or department. The cost of printing a publication for the general information of the people of the state shall be paid for out of the fund appropriated for that purpose. [Amendment. *Statutes* 1913, p. 1150.]

§ 2295a. It shall be the duty of the superintendent of state printing to furnish to the state library, as soon as issued, two hundred and fifty copies of all reports and other publications of state officers, commissions and departments. Twenty-five of the documents so furnished shall be bound copies. Of the publications issued from day to day during the sessions of the legislature, there shall

Publications
furnished
state
library.

be furnished to the state library as many as may be required by the librarian. The state librarian shall, in his discretion, distribute publications so received to the public libraries, and other educational, scientific, literary or art institutions of this state, which may apply to be put on the mailing list for all or a portion of the state publications; and to such libraries and other institutions outside this state with which the state librarian may have established exchange relations. In the discretion of the state librarian, remaining copies of state publications, except those publications required by law to be sold, may be distributed to any person applying therefor. [Amendment. *Statutes* 1913, p. 1151.]

Who
may
take
books.

§ 2296. Books may be taken from the library by the members of the legislature during the sessions thereof, and by other state officers at any time.

Books
taken by
members
of legis-
lature.

§ 2297. Books taken by members of the legislature must be returned at the close of the session; and before the controller draws his warrant in favor of any member of the legislature for his last week's salary, he must be satisfied that such member has returned all books taken by him and paid for any injuries thereto.

Books
taken by
state
officers.

§ 2298. The controller, when notified by the state librarian that any officer or employee of the state for whom he

draws a warrant for salary has failed to return any book taken by him (or for which he has given an order) within the time prescribed by the rules, or the time within which it was agreed to be returned, and which notice shall give the value thereof, must, after first informing said officer or employee of such notice, upon failure by him to return the said book, deduct from the warrant for the salary of said officer or employee, twice the value of such book, and place the amount so deducted in the state library fund. In case of the neglect or refusal on the part of any officer or employee of the state to return a book for which he has given an order or a receipt or has in his possession, the state librarian is authorized to purchase for the library a duplicate of said book, and to notify the controller of such purchase, together with the cost of the same. Upon the receipt of such notice from the librarian, the controller must deduct twice the cost of said duplicate book from the warrant for the salary of said officer or employee, and place the amount so deducted in the state library fund. The state librarian is empowered to bring suit in his official capacity for the recovery of any book or books, or for three times the value thereof, together with costs of suit, against any

Books
taken by
state
officers.

person having the same in his possession or being responsible therefor. In case the librarian has purchased a duplicate of any book as provided in this chapter, he is authorized to bring suit as aforesaid for three times the amount so expended for said duplicate, together with costs of suit.

Injury
to books.

§ 2299. Every person who injures or fails to return any book taken is liable to the librarian in three times the value thereof.

Library
fund.

§ 2300. The moneys appropriated by the legislature for the maintenance of the state library shall constitute the state library fund. [Amendment. *Statutes* 1913, p. 1151.]

Library
hours.

§ 2301. During the session of the legislature and of the supreme court, the library must be kept open every day from nine o'clock a. m. until nine o'clock p. m., and at other times during such hours as the trustees may direct.

Libra-
rian's
salary.

§ 2302. The annual salary of the librarian is thirty-six hundred dollars. [Amendment. *Statutes* 1909, p. 471.]

Bond of
libra-
rian.

§ 2304. The librarian must execute an official bond in the sum of three thousand dollars.

§ 2305. This chapter shall be in force and effect from and after the first day of May, eighteen hundred and seventy-two.

GENERAL APPROPRIA- TION ACT.

An act making appropriations for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years.

[Statutes 1913, p. 1331.]

SECTION 1. The following sums of ^{Appropriation.} money are hereby appropriated out of any money in the state treasury not otherwise appropriated for the support of the government of the State of California for the sixty-fifth and sixty-sixth fiscal years; *provided*, that in all cases in which statutory provision has already been made for salaries or for other regular annual appropriations, the amounts herein appropriated shall be deemed to be the same amounts appropriated by such statutes, and not additional thereto.

* * * *

STATE LIBRARY.

For salary of state librarian, seven thousand two hundred dollars.

For support and maintenance of state library, one hundred ninety thousand dollars.

* * * *

DONATION OF LAND FOR STATE BUILDINGS.

An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose.

[Statutes 1913, p. 388.]

SECTION 1. Any city and county, or county, or city operating under freehold-

ers' charter or otherwise, or any town, or any municipal corporation, in the State of California, is hereby authorized and empowered to donate and grant to the State of California any real property owned by it or which it may hereafter acquire within its corporate limits for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith.

SEC 2. Any city and county, or county, or city, operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California, is hereby authorized and empowered to donate and grant to the State of California any real property owned by it or which it may hereafter acquire within its corporate limits for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith and is hereby authorized and empowered to use such part of its funds as deemed necessary toward the acquisition of a site within its corporate limits, upon which the State of California may erect public buildings or maintain grounds in connection therewith. Any city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California, is

City,
etc.,
may
grant
site for
state
building.

May use
funds to
acquire
site.

May
incur
indebt-
edness.

Bonds
vali-
dated.

hereby authorized and empowered to incur indebtedness for any of the purposes mentioned in this act. Where an election has been held in accordance with the laws of the state in any such city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California, and the necessary two thirds of all the qualified electors voting thereat shall have voted in favor of incurring an indebtedness for any of the purposes specified in this act, all the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose are hereby legalized, ratified and declared valid to all intents and purposes, and the power to issue such bonds is hereby confirmed, and all bonds that may be sold, in accordance with the provisions of law for not less than their par value, are hereby declared to be legal and valid obligations of and against the city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California so issuing them, and the faith and credit of such city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California, is hereby pledged for

the prompt payment and redemption of the principal and interest of such bonds, in accordance with the provisions thereof; *provided*, that this act shall not operate to legalize any bonds which have been sold for less than their par value, or any bonds which have not, at the time this act shall take effect, been authorized by not less than two thirds of the qualified electors of such city and county, or county or city operating under freeholders' charter, or otherwise, or any town or any municipal corporation in the State of California voting at such election.

Bonds
not to be
sold at
less than
par.

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

STATE BUILDINGS BONDS.

An act to provide for the issuance and sale of state bonds to be known as "state building bonds," to provide a fund for the erection and equipment of state buildings in the city of Sacramento for state purposes, creating a commission to determine the amount to be expended for furnishing and equipping said buildings and accepting a suitable site, creating a sinking and interest fund for the payment of interest on said bonds and the redemption of the same, making an appropriation therefor, making an appropriation of \$5,000 for the expenses of printing and lithographing said bonds and providing for the submission of this act to a vote of the people.

[Statutes 1913, p. 389.]

* * * *

SEC. 5. Any and all moneys derived from the sale of the bonds provided for in this act are hereby appropriated and shall be used exclusively for the following purpose, to wit:

State
build-
ings for
Sacra-
mento.

The constructing and equipping of state buildings in the city of Sacramento, State of California, for the various officers, boards and commissions of the state, at a

cost not to exceed the total sum of three million dollars, such portion of said sum of three million dollars to be used for the furnishing and equipping of said state buildings as may be determined by a board consisting of the governor, the presiding justice of the supreme court, and the state librarian, which board for such purpose is hereby created; *provided, however*, that no moneys provided for by this act shall be used for such purpose until a site suitable for such purpose, and acceptable to the state board last above created, shall be donated or given to the state, the title thereto to be free and clear of all liens and encumbrances; the number of buildings and their location on the lands to be donated shall be determined by said board in this subdivision of this section mentioned; the plans and specifications for said buildings, and each of the same, shall be prepared under the direction and control of said board in this subdivision of this section provided for.

* * * *

SEC. 8. This act, if adopted by the people, shall take effect on the thirty-first day of December, 1914, as to all its provisions excepting those relating to and necessary for its submission to the people, and for returning, canvassing and proclaiming the votes, and as to said excepted

In effect
Dec. 31,
1914.

provisions this act shall go into effect ninety days after the final adjournment of the session of the legislature passing the same.

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CIVIL SERVICE ACT.

An act to provide for a general system, based upon investigation as to merit, efficiency and fitness; for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor.

[Statutes 1913, p. 1035.]

[NOTE—The civil service act applies to the state library and not to other libraries of the state.]

SEC. 7. . . . The positions held in the following specified classes are excepted:

* * * *

Eleventh—The state librarian, the chief deputy or assistant state librarian and also one person holding a position having a confidential relation to the state librarian, and appointees under provisions for court, law, teachers, school and county libraries.

Positions
excepted.

* * * *

PRINTING AND DISTRIBUTION OF STATE PUBLICATIONS.

POLITICAL CODE.

§ 410. The laws, resolutions and journals of the legislature shall be delivered by the state printer to the secretary of state, who shall immediately distribute them as follows:

1. To the library of congress, three copies.

2. To the state library or other library or department in each state, authorized to receive them, two copies.

3. To the librarians of the University of California and the Leland Stanford Junior University, two copies each.

4. To each United States senator and each member of congress from California, to each of the United States district judges in this state, to each of the judges of the supreme court, the district courts of appeal, and the superior courts of this state, one copy.

5. To the chief of each administrative department of the state government, and to each of his deputies, one copy.

6. To the lieutenant governor, each member of the legislature, the secretary of the senate and the clerk of the assembly, one copy each.

7. To each public library, and each library connected with an incorporated college or other educational, scientific, literary or art institu-

tion in this state, which may apply to be put on the mailing list for all or a portion of the state publications, one copy.

8. To the state library, fifty copies, or so many more as the state librarian may require for exchange purposes.

9. Of the laws alone, to the county clerk of each county, in the cheapest and most expeditious manner, to be by the sheriff distributed under the direction of the clerks, one copy for the board of supervisors, one copy to each county officer and each justice of the peace and police judge; and of the journals, three copies of each house, to each county clerk for the use of the county.

The secretary of state must also distribute of the bound volumes of the decisions of the supreme court, and of the district courts of appeal, as soon as he receives them:

1. To each state, two copies.

2. To the library of congress, the supreme court library and the district courts of appeal libraries, two copies each.

3. To each department of this state, and to each of the United States district judges of this state, supreme, district courts of appeal and superior judges of this state, one copy.

4. To each district attorney and county clerk, one copy.

5. To the reporter of the decisions, ten copies.

6. To the state library, ten copies. [Amendment. *Statutes* 1909, p. 539.]

§ 528. There must be printed of the laws of each session of the legislature, twenty-two hundred and fifty copies, in English, to be deposited with the secretary of state, who, after retaining a sufficient number of said volumes for distribution, in accordance with the provisions of section four hundred and nine of the Political Code, shall deposit one hundred and fifty copies with the state librarian. * * * *
[Amendment. *Statutes* 1909, p. 266.]

§ 529. The superintendent of state printing shall decide upon the style and manner of printing all laws and other state documents.
[Amendment. *Statutes* 1913, p. 1132.]

§ 2295a. [See page 99.]

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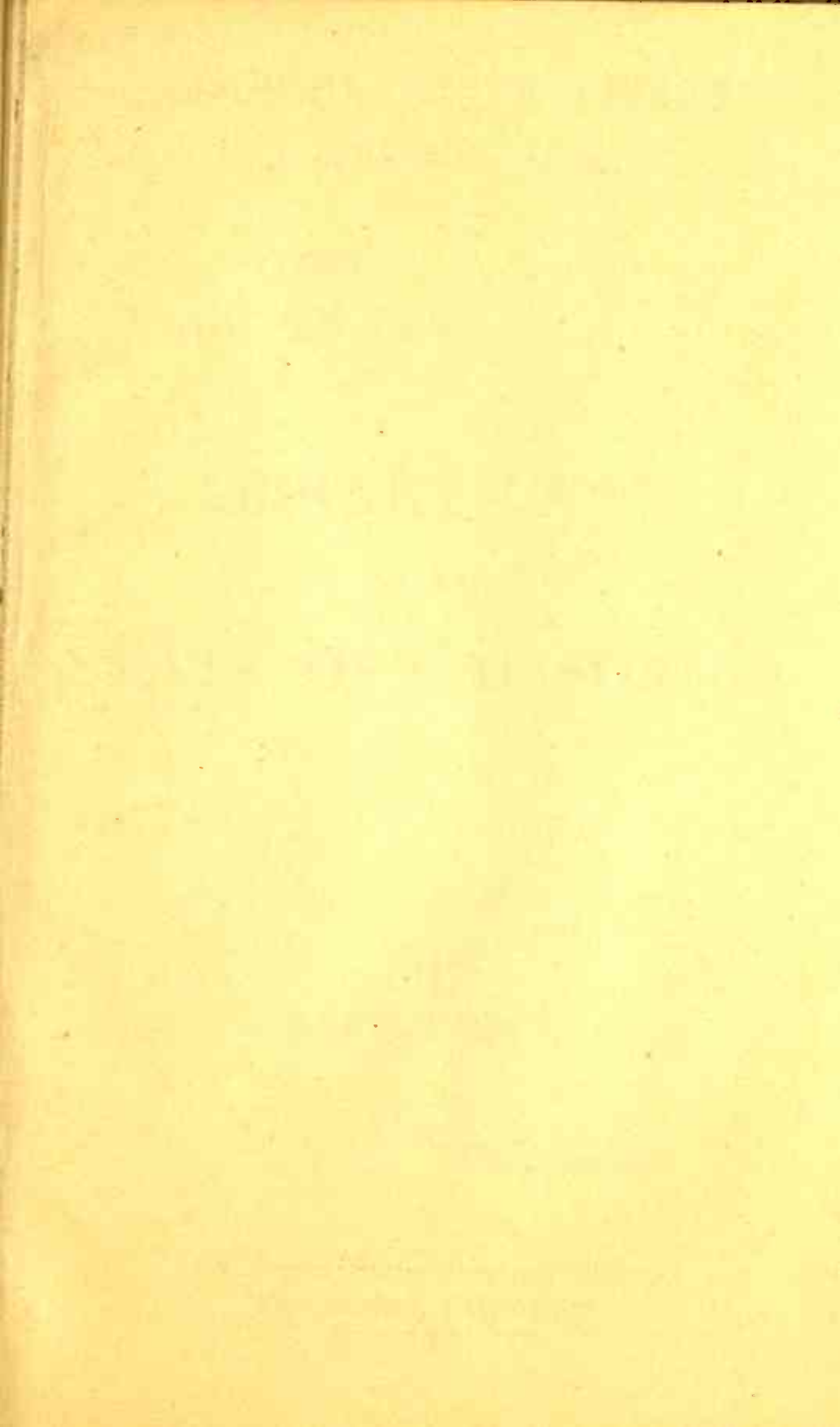
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CALIFORNIA STATE LIBRARY

M. J. FERGUSON, Librarian

GIFT

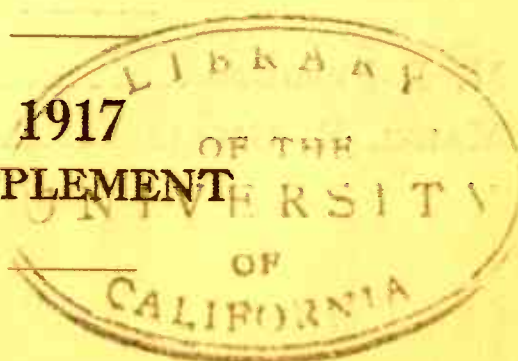
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LIBRARY LAWS

OF THE

STATE OF CALIFORNIA

1917
SUPPLEMENT



California State Printing Office
Sacramento, California

1917

CALIFORNIA STATE LIBRARY.

SACRAMENTO

Trustees.

L. W. RIPLEY, President	_____	Sacramento
MRS. FRANCES M. HARMON	__	Los Angeles
A. H. HEWITT	_____	Yuba City
MAX J. KUHLE	_____	San Francisco
R. M. RICHARDSON	_____	Sacramento

M. J. FERGUSON	_____	Librarian
MABEL R. GILLIS	_____	Assistant

NOTE.

This Supplement brings down to date the "Library Laws of the State of California," issued in 1913. It contains the library laws enacted at the 1915 and 1917 sessions of the legislature and thus supersedes the supplement issued in 1915.

Section 410 of the Political Code, relating to the printing and distribution of state publications, was amended in 1917, but with no change in the provisions relating to libraries. This section, therefore, is omitted.

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COUNTY FREE LIBRARIES.

[Amendment to county free library law of 1911.]

Section 9gg. In counties of the thirty-^{Salary} third class the salary of the county li-^{of} brarian shall be eighteen hundred dollars ^{county} per annum. [Amendment. Statutes 1917, p. 1610.] ^{librarian.}

[Amendment to section 4254 of the Political Code, relating to compensation of officers of counties of the twenty-fifth class.]

15a. There is created for counties of the twenty-fifth class a county librarian, who shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand eight hundred dollars per annum, to be paid at the time and in the manner as other county officers. [Amendment. Statutes 1917, p. 1578.]

[Amendment to section 4280 of the Political Code, relating to the compensation of officers of counties of the fifty-first class.]

15a. There is created for counties of the fifty-first class the office of county librarian; the librarian shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand two hundred dollars per annum, to be paid in equal monthly installments at the same time and in the same manner as other county officers are paid. [Amendment. Statutes 1917, p. 1257.]

SCHOOL LIBRARIES.

POLITICAL CODE.

Powers and duties of school trustees. * §1607*. Boards of school trustees and city boards of education shall have power, and it shall be their duty: * * * * *

Sec-tarian publica-tions. *Third*—To exclude from school and school libraries all books, publications, or papers of a sectarian, partisan or denominational character. [New section. Statutes 1917, p. 736.]

§1609. Boards of school trustees and city boards of education shall have power, and it shall be their duty:

District librarians. *Third*—To appoint and, in their discretion, pay district librarians, and enforce the rules prescribed for the government of district libraries. [New section. Statutes 1917, p. 738.]

Change of locations of schools. §1611. Boards of trustees in school districts, not including districts having city boards of education, may, and upon a petition signed by a majority of the heads of families resident in the district, must call meetings of the qualified electors of the district for determining or changing the location of the schoolhouse, or for con-

*Secs. 1607, 1609 and 1611 are reenactments, under new section numbers and with only slight formal changes, of the provisions of sec. 1617, as amended in 1913.

sultation in regard to any litigation in which the district may be engaged, or be likely to become engaged or in regard to any affairs in the district. Such meetings shall be called by posting three notices in public places, one of which shall be in a conspicuous place on the school-house, for not less than ten days previous to the time for which the meeting shall be called, which notices shall specify the purposes for which said meetings shall be called; and no other business shall be transacted at such meetings. District meetings shall be organized by choosing a chairman from the electors present, and the district clerk shall be clerk of the meeting, and shall enter the minutes thereof on the records of the district. A meeting so called shall be competent to instruct the board of trustees:

* * * * *

3. In regard to prosecuting, settling or compromising any litigation in which the district may be engaged, or be likely to become engaged, and may vote money not exceeding one hundred dollars in any one year, for any of these purposes in addition to any amount which may be raised by the sale of district school property, and the insurance of property destroyed by fire; *provided*, that the proceeds of the insurance of the library and apparatus shall be paid into the library fund. * * *

Instruc-
tions.

Insur-
ance
pro-
ceeds.

Library
fund
for
cities
not
divided
into
districts.

Maxi-
mum ap-
portion-
ment.

Mini-
mum
for city
com-
prising
single
district.

Failure
to file
request.

§1714. The county superintendent of each county, or city and county, shall annually apportion to each city, or city and county, not divided into school districts, as a library fund, such sum as may be requested by the board of education of such city, or city and county, said request to be in writing and filed with the county superintendent of schools at least thirty days before the first day of the month in which the supervisors of the county, or city and county, are required by law to levy the amount of taxes required for county, or city and county, purposes for each year, but in no case shall the sum so apportioned to any district exceed eighty cents for each pupil of average daily attendance in the elementary schools of said district, as reported to the county, or city and county superintendent of schools, during the preceding school year; *it is provided*, that in each city and county comprising a single district, the amount apportioned shall be not less than forty cents for each pupil of average daily attendance in the elementary schools; said amount so apportioned to be deducted from the county school fund apportioned to each city, or city and county, and credited to the library fund of each city, or city and county; *and it is provided, further*, that if the board of education of any city, or city and county,

shall fail to file said request in writing as hereinbefore provided, the county, or city and county superintendent shall apportion to the library fund of each city, or city and county, failing to make such request in writing, such amount, not in conflict with the provisions of this act, as he may deem advisable. The total amount of each such apportionment shall constitute the library fund of each city, or city and county, not divided into school districts How expended. and shall be expended only in accordance with the provisions of section one thousand seven hundred twelve of this code.

[Amendment. Statutes 1915, p. 344.]

§1715. Libraries may be maintained District school libraries. under the control of the district board of trustees or city board of education, and in such case shall be open to the use of the teachers, pupils and all residents of the district. Wherever practicable, the library shall be kept open during vacation and non-school days. Whenever the county in which a district is situated shall maintain May become branch of county free library. a county library, the board of school trustees or city board of education may agree with the proper authorities of such county to make the school library a branch of such county library. In such event, such board of school trustees or city board of education shall turn over the books and other property of the district library to the county library, and shall annually transfer

Arrange-
ment
with
city
public
library.

to such county library its library fund, as soon as it is available, to be kept and expended as other funds of such county library. The said county library shall thereupon make such district library a branch library, managed and maintained according to the rules and regulations established by the authorities of the county library. In any city conducting a public library owned and managed by such city, the board of school trustees or city board of education of such city may enter into an arrangement with the governing body of the public library of said city similar to the arrangement herein authorized between such school trustees or board of education and such county library. [Amendment. Statutes 1915, p. 772.]

Powers
and
duties
of
high
school
boards.

Contract
for
county
free
library
service.

§1741. Except as in this article, or in article fifteen of this chapter, otherwise provided, the powers and duties of high school boards shall be such as are now or may hereafter be assigned by law to boards of education or boards of school trustees in school districts. * * * The high school board of any high school district lying wholly or partly within a county maintaining a county free library shall have power to enter into a contract or agreement with the board of supervisors of said county, whereby said high school district may secure the advantages of said county free library upon such terms and

conditions as may be fixed in said contract or agreement. [Amendment. Statutes 1915, p. 769.]

§1771. County boards of education have power:

Powers
of
county
boards
of edu-
cation.

* * * * *

3. To grant, in accordance with sections one thousand seven hundred seventy-two and one thousand seven hundred seventy-five of this code, the following certificates, renewable at the option of the board:

* * * * *

(d) Special certificates, authorizing the holders to teach in the schools of the county such branch or branches of learning and in such grades as are named in such certificates. No special certificate shall be granted except for the oral teaching of the deaf or for the teaching of atypical children or for the teaching of special classes in citizenship, or for teaching a subject included under the manual and fine arts, oral and dramatic expression, library craft, technique and use, music, physical education, agriculture, commercial branches, commercial Spanish, vocational guidance and technical, household and industrial arts, and other vocational arts, not herein specified. [Amendment. Statutes 1917, p. 1315.]

Special
certifi-
cates.

High
school
libra-
rian.

§1775.

* * * * *

6. No librarian shall be employed for more than two hours a day in any high school, unless such librarian holds a high school certificate or a special teachers' certificate in library craft technique and use, of secondary grade, granted in accordance with the provisions of this code. Such librarians shall rank as teachers, and shall be subject to the burdens and entitled to the benefits of the public school teachers' retirement salary fund law on the same basis as other teachers. [Amendment. Statutes 1917, p. 1319.]

COUNTY LAW LIBRARIES.

POLITICAL CODE:

§4190*a*. The boards of supervisors of the several counties of this state are hereby authorized at their discretion to set apart each month from the fees collected by the county clerks in addition to the fund now provided for by law, a sum not exceeding one hundred dollars in any one month, to be paid by the county clerk into the "law library fund" designated in section four thousand one hundred ninety of this code and when so paid into said fund the same shall constitute a part thereof and be used for the same purpose as said fund is now used. [New section. Statutes 1915, p. 216.] ^{Law library fund.}

Section four thousand two hundred twenty-one *a* of the Political Code is hereby repealed. [Statutes 1915, p. 216.] ^{Repealed.}

STATE LIBRARY.

POLITICAL CODE.

Index of great registers. §1115. * * * The [county] clerk shall have bound together in one or more volumes, a general index of said [registration] books arranged alphabetically by precincts, and shall keep at least one copy of said general index in his office for public reference. He shall also transmit one copy of said general index to the state librarian at Sacramento. [Amendment. Statutes 1917, p. 436.]

Librarian's salary. §2302. The annual salary of the state librarian is five thousand dollars. [Amendment. Statutes 1917, p. 1663.]

SUTRO LIBRARY ACCEPTED.

An act validating the action of the trustees of the state library in accepting as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco the library commonly denominated the "Sutro Library," and in establishing a branch of the state library in the city and county of San Francisco, to be known as the "Sutro Library."

[Statutes 1915, p. 822.]

The people of the State of California do enact as follows:

SECTION 1. The action of the trustees of the state library in accepting as a gift from the heirs of the late Adolph Sutro, on behalf of the State of California, the collection of rare books and manuscripts gathered by the said Adolph Sutro is hereby approved and validated. Sutro library accepted.

SEC. 2. The establishment by the trustees of the state library of a branch of the state library in the city and county of San Francisco, to be known as the "Sutro Library," in which branch the said collection of rare books and manuscripts shall, in accordance with the terms of the gift, be maintained is hereby approved and validated. San Francisco branch established.

